# The Zealots

*An indepth study into how traditional texts have been manipulated to serve an extremist ideology*

**By Sheikh ʿAlī Jumʿah**

A translation from the original Arabic text

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بِسْمِ ٱللَّهِ ٱلرَّحْمَٰنِ ٱلرَّحِيمِ

IN THE NAME OF GOD,

THE MOST-MERCIFUL, MOST-COMPASSIONATE

# Contents

*Dedicated to all those who respect specialisation and expertise*

# Translator's Note

Gone are the days when the sciences of Islam were held in high esteem, when a clear distinction between laymen and scholars was acknowledged. A time in which appropriate respect was shown to Islamic law as an independent science and not as mere general knowledge. The disappearance of such a distinction is undoubtedly one of the major crises of our time. As a consequence, and due to the disappearance of any criteria for *Sharīʿah* based knowledge, confusion has prevailed. Owing to immense compounded ignorance, judgment is now restricted to outward appearances, in that the criteria for a scholar among many is no more than the memorisation of the Qurʾān and the citation of hadiths found in Bukhārī and Muslim, coupled with a long beard and white garment.

The mere concept that there may exist a process and methodological approach towards understanding and decoding the divine dicta has become nonexistent. Rather it is more 'if the Prophet ﷺ said it then I must follow it', regardless of the context and setting in which the statement of the Noble Prophet ﷺ was made, conflicting reports, or any other theoretical possibilities. Such a pronouncement, although apparently convincing, is in fact a major

pitfall. It is in stark contrast of the understanding of the *Salaf* that many today are claiming to emulate. Ibn Wahb famously stated, "Were it not for Mālik ibn Anas and al-Layth ibn Saᶜd I would have perished. I used to think everything that is related from the Prophet ﷺ must be put into practice".[1] Sufyān ibn ᶜUyaynah famously stated: "Hadiths may be a source of misguidance for everyone except jurists".[2] Similarly, Imam Ahmad ibn Hanbal famously said: "Were it not for al-Shāfiᶜi we would not have understood the jurisprudence of hadith."[3]

This confusion has rendered the layman incapable of differentiating between two types of people. On the one hand, the erudite scholar - who has spent many years of his life receiving knowledge, first hand application, coupled with mannerisms and etiquettes from those who preceded him. On the other, an ordinary person like himself who claims to have knowledge due to a small amount of reading or mere memorisation without experiencing the true setting of Islamic scholarship. He is thus completely distant from understanding the law and its higher objectives. The result of this is obvious: absolute confusion, contradictions, disorder, aggression and at times apostasy. As Ibn Hajar mentioned: "he who speaks in other than his field comes up with absurdities!"[4]

We have before us a work which is embedded in the Islamic tradition. Sheikh ᶜAlī Jumᶜah employs all the tools of an assiduous scholar in order to highlight the central misconceptions which have plagued the Muslim community for the last hundred years and which has led not only to reckless charges of disbelief against the masses but also to multitudes of casualties, both Muslim and non-Muslim alike. For many, Sheikh ᶜAlī is the emblem of

sunnism today. He is forbearing, compassionate and acutely aware of the current state of affairs. He possesses unbroken chains of transmission in the Islamic disciplines and licenses to teach from authoritative teachers. He is equipped with a firm understanding of both the scriptural and rational sciences and most importantly is prepared to stand up for the tradition and elucidate its position even when the odds are not favourable and repercussions amongst the masses are inevitable. Many people of knowledge today, due primarily to emotional reasons, have been cowed into submission and have accepted positions that were historically never tolerated, betraying their learning and the methodology which they had been taught, whilst further confusing the populace in the process. We remind them of the sayings of some of the luminaries of the past, like that of our master ᶜAlī: "Truth is not known by people: know the truth and then you will know its people!"[5] and the statement of al-Fuḍayl ibn ᶜIyāḍ: "Pursue the path of guidance and do not be dissuaded by the small numbers of those upon it, and beware of the path of misguidance and do not let its abundant followers deceive you".[6]

It is said that the scholars are the people who speak on behalf of the Muslim Ummah, and Sheikh ᶜAlī Jumᶜah, by testimony of many of his contemporaries, is at the forefront of those who speak on their behalf.

With regards to the translation itself, attempts have been made to keep the work as close to the Arabic text as possible whilst remaining lucid for the English reader, and when not possible making every effort that the correct meaning is conveyed. The majority of verses have been taken from Muhammad Asad's *The Message of The Qurʾān*,

although there are times where slight alterations were made. Italics are used for foreign terms and all names, titles and nomenclatures are transliterated when needed.

I would like to give special thanks to Sheikh Alī Jumᶜah, Sheikh Ashraf Saᶜd al-Azharī, Dr. Usāmah al-Sayyid al-Azharī and Dr. Mustafa Shah for their advice, valuable corrections and priceless consultation. I would also like to thank all those who made time to cross-reference and proof read the work and highlight any anomalies, as well as the editing team and all those that played a role in the translation of this work.

Safeer Moustafa, London 2018

**Notes**

1. *Siyar Aʿlām al-Nubalāʾ*, al-Dhahabī, p. 148.
2. *Al-Fatāwā al-Ḥadīthiyyah*, Ibn Hajar al-Haytammī, p. 283.
3. *Rawāʾiʿ al-Aʾimmah al-Arbaʿah*, Islam al-Māzinī, p. 60.
4. *Fath al-Bārī*, Ibn Hajar al-Asqalānī, p. 683.
5. *Al-Munqidth min al-Ḍalāl*, Abu Hamid al-Ghazālī, p. 206.
6. *Al-ʿItiṣām*, al-Shāṭibī, p. 112.

# Preface

*In the name of God, all praise belongs to Him, and may prayers and salutations be bestowed upon our master, the Messenger of God ﷺ, and upon his Noble Household, his Companions and those that follow him until the last day.*

## Defining the Term '*al-Salafiyyah*' and the Characteristics of the Extremist Methodology of the *Salafis*

The term *Salafiyyah*[1] comes from the Arabic word *salaf* which means to precede. Every period of time is considered a *salaf* (predecessor) in relation to the times which follow it, and a *khalaf*[2] (successor) in regard to the time which precedes it. The word *Salaf* also has a specific technical meaning in the Islamic tradition. What is meant by the *Salaf* are the first three generations of the Islamic community. The basis for this is in the hadith of the Messenger of God ﷺ: "The best of people are my generation, then those that follow them and then those that follow them. After them will come a people whose testimony will precede their oath and whose oath will precede their testimony."[3]

However, the term *Salafiyyah* has often been misunderstood, misused and indeed exploited, no more so than in the present. Some Muslims attribute this term to themselves alone, claiming that only they are the heirs of the historical *Salaf*. According to these self-appointed *Salafists*, almost the entire Islamic community, including even the most eminent scholars and the sincere preachers who are actively working for the advancement of Islam worldwide, are in fact blameworthy innovators, regardless of the depth of their knowledge. They hold this belief purely because the majority of people hold a different opinion to them regarding specific subsidiary issues over which scholars have differed.

## The Development of the Term *Salafiyyah* in Modern History

The term *Salafiyyah* first appeared in Egypt during the British occupation in the late 19th century. It was coined by the modernist religious reform movement led by Jamāl al-Dīn al-Afghānī and Muhammad Abduh. The origins of this movement lay largely in the cultural context and nature of religious practice in Egypt in that specific period. Various forms of religious innovations and erroneous superstitions had become widespread in Egyptian society. These practices had developed under the guise of a kind of pseudo folk Sufism, although in fact they had no relation to the authentic science of Sufism.[4]

Two groups emerged presenting solutions to Egypt's backwardness. The first group believed that Egypt needed to catch up with and emulate the materially and technologically advanced

Western civilization. They sought to achieve this goal by getting rid of any restraints and regulations that they saw as obstructing this aim, including Islamic thought and tradition itself. The second group believed in the need to rectify the affairs of the Muslims by returning to what they saw as genuine Islam, free from all superstitions, innovations and misconceptions. Islam in their view should keep pace with modern life and be a means of finding a beneficial coexistence between Islam and Western culture.

Al-Afghānī and Muhammad Abduh represented the vanguard of the second group. They dubbed themselves *al-Salafiyyah,* which at the time signified summoning Muslims to the abandonment of the innovations and superstitions which had polluted Islam. They would then be able to return to the understanding and practice of the *Salaf.*

They chose the term *al-Salafiyyah* in order to arouse people's disdain for the current state of the Muslims. This was achieved to a large extent by an intellectual comparison between the state of Islam and the Muslims in the enlightened early years of the historical *Salaf* and between the current state of darkness. They would then come to the conclusion that the only means of achieving success and progress was through a connection with the period of the *Salaf.*

During this time the *Wahhābī* movement – named after Muhammad ibn ᶜAbd al-Wahhāb – was widespread in Najd and the fringes of the Arabian Peninsula. There was common ground between this movement and the reform movement in Egypt, namely the combat of innovations and superstitions. Due to this, the word *'Salaf'* and *'Salafiyyah'* began to circulate among the leading figures of the *Wahhābī* movement. The term *salafiyyah* was

subsequently used in place of *Wahhābism* (*al-Wahhabiyyah*), in order to promote the notion that the methodology of Muhammad ibn ᶜAbd al-Wahhāb was not merely his, but rather had its origins in the methodology of the *Salaf*. It attempted to prove to the masses that they were the trustees of the creed of the *Salaf* and methodology in understanding and implementing Islam. It was in this manner that the term *Salafiyyah* went from being the slogan of a reform movement, used for its promotion and defense, to an epithet attributed to a methodology whose adherents believe that they are the only Muslims on the path of truth.

## The True Meaning of Following the *Salaf* According to the Scholars

In reality, following the *Salaf* does not mean confining oneself to the literal meanings of what they stipulated or the specific positions which they took, for the historical *Salaf* themselves did not do that. Rather, to follow them is to refer back to the same maxims which the *Salaf* referred to in interpreting the sacred primary texts, formulating *ijtihād* and arriving at legal rulings. To do this is the obligation of all Muslims in all times. The methodology of incorporating these maxims is not specific to the historical *Salaf* themselves, but also those that came after, namely the *Khalaf*. The *Salaf* are no different from the *Khalaf* in this matter, except that the *Salaf* were the first to identify and articulate these legal maxims, understand the extent of their need and then strove to deduce and record them.

That being the case, the true and enduring meaning of *al-Salafiyyah* is found in following the methodology of the *Salaf* in their treatment of the texts of the Qur'ān and the Prophetic Sunnah. This same methodology was embodied in the conduct of the righteous *Salaf*. Whoever adheres to this methodology is regarded to be from the *Ahl al-Sunnah wa'l-Jama'ah* (the People of the *Sunnah* and the Majority Community), even if they were to live in the final stages of the world's existence. Similarly, whoever does not adhere to this methodology would not be considered to be from them even if they were to live in the first century of Islam.

Following the *Salaf* is the general inclination of the vast body of the Muslim community, and it bears no meaning other than seeking enlightenment through their conduct and knowledge in understanding this religion and then practising it in the best manner. Just as the *Salaf* had differences of opinion among themselves within the generous confines of this methodology, it is no surprise that those who came after them and emulated them likewise had differences of opinion. Additionally, it is critical to understand that such differences of opinion among the historical *Salaf* did not destroy their unity and did not split them into two camps: those upon the right path and deviants. In the same way differences of opinion among those that came after them did not affect Islamic unity and did not bring about two new divisions: the 'Salafis' and the 'innovators'.

Moreover, the historical *Salaf*, may God be well pleased with them, did not adopt the term *al-Salaf* as an expression of any distinguished personality, thought, group or community specific to them, differentiating themselves from the rest of the Muslims.

Indeed, they did not place anything of their doctrinal certainty or moral and behavioural observations within a framework of a distinct Islamic group which possessed a particular philosophy and an autonomous ideological personality. On the contrary, there existed between them and those that we call today *al-Khalaf* complete interaction, holistic integration, and an exchange of understanding, learning and imparting, under the authority of that original methodology which had been agreed upon, and acknowledged as the recourse for arbitration. It did not occur to either the *Salaf* or those that came after them that a barrier would be created by a Muslim group in the future to divide the early generations from the later generations, each one being characterised by a distinct pattern of thought, conceptualisation and inclination.

The historical *Salaf* did not subscribe to a particular school of thought in the subsidiary matters of jurisprudence (*furūᶜ*). In fact all the differences of opinion that have been transmitted (within the traditional schools of law) are in essence disagreements amongst the *Salaf* themselves. The *Salaf* differed among themselves on many subsidiary issues, either in legal or minor issues of creed. Thus the claim of the modernist *Salafists* that, 'this is the school of thought of the *Salaf*" is deceiving, since it is based upon two key misconceptions:

**1.** That the *Salaf* had a uniform legal school that they agreed upon. This bears no relation to historical fact.

**2.** That the legal positions of the *Salaf* are other than what the imams of the Schools of Jurisprudence have transmitted to us on the authority of their teachers

> from the *Tābiᶜun* (the generation which succeeded the Companions). However, the correct position is that the Schools of Jurisprudence (*al-madhāhib*) themselves were in fact the vehicle of transmission of the juristic positions and legal rulings of the *Salaf*.

In the same way that the method of reciting the Qurʾān was passed on through mass transmission and hadith was likewise conveyed through chains of transmission, the Schools of Jurisprudence were the method for conveying the juristic positions of the Companions and the *Salaf*.

## The Characteristics of Contemporary Extremists

The opinions, inclinations, conduct, stances and judgements of the majority of those now named *Salafis* are incorrect. Anyone undertaking a study of this phenomenon must pay heed to these five things. Furthermore, *Salafis* adopt a highly hostile ideology, which assumes three things:

1. That everyone in the world hates Muslims and that they are in a constant state of war in order to annihilate them. This is led by the trilateral axis of evil: Zionism (the Jews), Evangelism (the Christians) and Secularism (atheists). These forces are conspiring against Muslims and are seeking to annihilate them,

while the Muslims have been unable to come up with a suitable response.

2. That it is a religious obligation to be in constant conflict with those forces that they deem hostile to the Muslims, to repulse aggression and oppression and to avenge the wrongs that are committed against the faith. They believe that they should fight against two main groups: the "accursed disbelievers" and the "immoral apostates". The "cursed disbelievers" are in their worldview every human being except for those who have pronounced the two testifications of faith. The "immoral apostates" are those who have pronounced the two testifications of faith, but do not legislate according to what God has revealed. They also include those that simply disagree with them and their ideology. These pronouncements are evidently replete with cynical deceit, deception and deep ignorance. However, tragically they have managed to attract many of the youth.

3. That extremist ideology takes the form of an active dogma. This means that it does not function as a traditional organisation or institution with recognised protocols. Rather it functions with an autonomous license, free of all restraints. Anyone who is convinced of such a dogma may adhere to it in any location. They are free to act wherever he may be, without direct command or any connection with a centralised

leadership hierarchy. As a result, the chaos which arises is more widespread and more deeply felt. This operational theory of theirs has an intrinsic connection with the theory 'Creative Chaos', which is a term often found in the jargon of geo-political and literary commentators today, even though many people are unaware of its origin, meaning and the cognitive framework which it refers back to.

The orientation of these extremists has become a tangible obstacle to Muslim progress and to the renewal of the Islamic discourse, and even an obstacle to comprehensive sustainable development, which the Muslim world in general, and Egypt in particular, is in dire need of. This orientation breeds extremism. It calls for the splintering of human society and encourages people to retreat from the wholesome activities of general life. It pushes people to live in isolation, in an unhealthy imaginary world and leaves them unable to deal with their own selves, much less those around them.

This extreme ideology is distinguished by several characteristics that lead to the aforementioned situation. It is incumbent upon all, especially now, to employ all means to remove such people from their seclusion. For they are not only harming themselves but can also profoundly harm those around them, the youth of the Muslim community, its future and indeed society as a whole.

This imbalanced ideology arising in our current day wishes to summon matters of the past and awaken them in our current day. For this reason you will find it has converted minor matters into major issues and then used them as separating boundaries between

the supporters of this ideology and all others. Interestingly, most of these matters are related to cultural traditions, customs, habits, fashions, clothing and appearance - from the etiquettes of eating and drinking, to relieving oneself, or the use of fragrances. But largely insignificant matters are made matters of contention that must be defended. In the mind of the proponents of this ideology these matters become the criterion of evaluation for acceptance or rejection of the *other*. So whoever supports it is considered "with them" and whoever refrains or does not share their opinion is seen as "against them" and is to be treated with disdain and hostility. The tragic follower of such thinking lives in this illusion and he becomes increasingly isolated.

This may then lead him to the next stage, in which he arrives at the belief in the necessity of suicide bombings and killing innocent human beings. He believes that his life has no meaning, for he is swimming against the current. He feels a deep resentment towards the masses, since he is part of an isolated minority within human society and the iniquitous majority are bent on his annihilation. He thus tries to flee from this perceived predicament by increasing his offspring, attempting by this to amend the uncertainty he feels when he looks at the tiny few that share his worldview. This results in a population boom but without awareness of the impact this will have upon the infrastructural development of society.

One of the definitive traits of this isolationist ideology is a deeply rooted fanaticism. The extremist deems life itself to be a vice. In turn, following this fanatical thinking, he concludes that it is a duty to sanitise oneself from life itself. This expresses itself in disdain for the higher aspects of human culture and courtesy.

He has an aversion to the art or literature, social empathy or even learning the basic social etiquettes. Therefore, we find him gaining pleasure and priding himself in his detachment and rejection of life and its colour, yet as a result he is unable to find true fulfilment in any holistic way.

For this reason we find him living in an immensely bewildering contradiction. He performs some things and refrains from others, despite them being from the same genus, obeying in this process only his desires. This forms within him a peculiar mentality of self-aggrandisement and ego-led desire; a mentality that contradicts sensible academic judgment as well as the rational logic that is the basis of healthy human minds and societies. It follows that from here he is unable to obtain balance and soundness of thought. It is here, in this state of imbalance that we find him in open rebellion; a self-imposed segregation, having no trust in the scholars. He trusts in no one save for a small group who externally conform to his own perceptions and desires. This prevents him from obtaining any cognitive comprehension of the greater social body. Such a mentality is characterised by an extreme conspiratorial neurosis in which its possessor suffers from the belief that everything around him is conspiring against him personally. Under this psychosis he sees his fellow human beings, or even brothers in faith, as planning his very elimination from the face of the earth. He is thus ever-ready to oppose, confront and resist all those around him.

Those afflicted with this worldview are also afflicted with a strange delusional pride and self-conceit which conceals their insecurities. The psychological roots of this ailment result in the belittling of all opinions that differ from their own. Certain

issues which are open to debate have become, in their minds, indispensable fundamentals.

Due to this narrow conception, they are unable to prioritize correctly and marginal concerns supersede established priorities of utmost importance. Moreover, they give preference to individual welfare over general welfare and give precedence to assumptions over established facts, all of which has a negative impact upon society as a whole. For example, they stand against any form of beneficial renewal or reform within Islamic societies. Their justification for this is that everything new is an innovation, and that every innovation is misguidance, and that every misguidance leads to the Hellfire . They fail to understand the core issues at hand and focus instead upon trivialities. They interpret the sacred texts according to their own whims and restrict the lives of the Muslims by declaring a vast number of things to be forbidden that had not previously been considered so. They are averse to the classical orthodox approach of the scholarly community, and prefer in its place a very strange method of performing their own modernist *ijtihad* in jurisprudential matters, yet blindly following certain opinions in matters of creed. They venerate non-scholarly personalities whilst belittling true scholars. They focus on less than a hundred issues which they use to declare ordinary Muslims as immoral or even disbelievers who should be cast out of society and fought against.

The time has come to make opposition to this extreme ideology a national mission. The way to achieve this is to return to the methodology of al-Azhar, which has carried the banner of *Ahl al-Sunnah wa al-Jama'ah* for centuries. The *Ahl al-Sunnah*, unlike other movements and schools of thought, represent the middle path.

They revere all the noble Companions, unlike the extreme Shia who reject the Companions, except for Imam Ali and a very few of those who were close to him. The position of *Ahl al-Sunnah* in relation to the other schools of thought is like the position of Islam in relation to the other religions.

Al-Azhar teaches the Ashᶜarite theological doctrine which is the orthodox creed of the majority of Muslims. Al-Azhar also teaches adherence to the four orthodox Sunni Schools of Jurisprudence (the Hanafi, Maliki, Shafiᶜī and Hanbali schools), yet without negating individual or collective *ijtihad*, and without even denying the possibility of accepting the position of the other four practised schools of law, namely the ᵓIbādi, the Zāhiri, the Imāmi and the Zaydi schools. Furthermore, the Azhari methodology can even accommodate peripheral schools of Sacred Law besides these well established eight, since there are more than eighty schools of thought which have been transmitted in the vast books of jurisprudence. Al-Azhar also allows scholars to derive rulings directly from the Qurᵓān and the Sunnah according to what suits the time, the welfare of the land and to what is appropriate with the advancements in the world around us.

On a general level, the expansive and moderate Azhari approach seeks the accomplishment of the Higher Objectives: the preservation of life, the intellect, religion, the dignity of man and his property. These objectives are not only the Higher Objectives of Islam but they are the universals of any system or civilisation which concerns itself with the defence of human rights. In the area of ethics the various schools of Sufism are taught, from which the individual learns to cleanse his heart of the low and vile traits of the ego, such

as ostentation and conceit. Through this science of purification, he learns how to adorn his heart with the most beautiful qualities and attributes, with reference to the correct and authentic sources, beneficial knowledge and genuine guided leadership, and above all, the sincere obedience to God, His Messenger and the rightful leaders and heirs in these affairs.

## The Key Issues that Have Come to Represent the Extremist Ideology

The extremists focus on a cluster of issues, which do not represent the ethos of the Muslim community, and are in fact all peripheral matters. They present these issues as if they are definitive and absolute and make them a crude yardstick with which to classify and judge Muslims. They do not allow difference of opinion - they believe the truth lies with them alone. Whoever professes other than what they preach is an apostate or sinful or deviant or at the very least someone who is not committed to the faith and who does not follow the Messenger of God ﷺ.

They have forced Muslims to engage with these issues, at the expense of more important ones. Ironically their positions regarding these very issues are frequently weak or highly unorthodox. In what is to follow is a demonstration of the evidences which the scholars rely upon to respond to the issues of this extremist ideology. We emphasise that it is not permissible that we make these issues a criterion by which we divide the Muslims. The real criterion is love of

God and His Messenger ﷺ, and the clearly established foundations which the Muslim community has agreed upon.

We have chosen seventeen of the issues which they focus on. They are as follows:

**1:** Ascribing a physical location to God
**2:** Attempting to discredit the Ashᶜaris.
**3:** Rejecting the need to follow one of the recognised schools of jurisprudence.
**4:** Issuing religious edicts without being qualified to do so.
**5:** Considering muslims' actions to be reprehensible innovations (*bid'ah*)
**6:** Prohibiting *tawassul* through the Prophet Muhammad ﷺ
**7:** Prohibiting prayer in mosques that contain graves
**8:** The belief that seeking blessings from the relics of the Prophet ﷺ and the pious is polytheism
**9:** Prohibiting the celebration of the Prophet's birth
**10:** Prohibiting Travelling to Visit the Prophet ﷺ or the graves of the prophets and pious
**11:** Using the name of the Prophet ﷺ in the form of an oath
**12:** Claiming that the Prophet's parents are destined for the Hellfire
**13:** Denying that the dead have any awareness of those that visit them.

**14:** The Prohibition of the remembrance of God in abundance and the forbiddance of litanies
**15:** Forbidding the use of prayer beads
**16:** Overemphasis on outward appearance
**17:** Conflating preaching with knowledge

**Preface Notes**

**1** Literally meaning "those that precede"

**2** Literally meaning "those that come after"

**3** Agreed upon. Reported by al-Bukhārī in *Kitāb al-Shahādāt*, the chapter: *La yashhad ʿala Shahādat Jūr ʾIdthā ʾIstabadd*, hadith number (2509), and the wording is his. Also reported by Muslim in *Kitāb Faḍāʾil al-ṣaḥābah*, chapter: *Faḍl al-ṣaḥābah alladhīna yalūnahum thumma allathīna yalūnahum*, hadith number: 2533.

**4** Someone connected to the historical *Salaf* of the first three centuries

# The First Issue:

## Ascribing a physical location to God

One of the things that these modern extremists who call themselves *Salafis* insist upon is asserting that God is in a physical location, that He is 'above' His creation. This is at odds with God's transcendence, which is established in the words of our master Alī ibn Abī Ṭalib, "God existed when there was no place (in existence), and He remains as He is".[1] Abu Hanīfah said, "If someone asked, 'Where is God?', the reply would be, 'God existed whilst there was no place, before He created the creation. God existed when there was no 'where' or 'creation' or 'anything'. And He is the creator of all things."[2] Imam al-Shāfiᶜī said: "God, Most High, existed when there was no place. Then He created physical space whilst having the attribute of eternality just as He did before He created it. It is not conceivable that His essence may change or His attributes be altered."[3] Imam al-Tahawi affirmed this in his *al-Aqidah al-Tahawiyyah* when he said: "He who does not guard against negation (of the Divine attributes) or immanence (*tashbih*) in relation to God has blundered and failed to attribute to God His absolute transcendence, for indeed our Lord is described with the attributes of 'Absolute Oneness' and attributed

with the attributes of 'Unique Singleness'. Nothing else in creation may be described in this way. He is far-removed from having limits and boundaries, parts, limbs and organs. The six directions do not encompass Him as they do the rest of created things."[4]

The impossibility of attributing a place or direction to God springs from the fact that, according to the people of true faith, God is pre-eternal, meaning that there was no beginning to His existence and that His existence is unprecedented and without similitude. This understanding was derived from God's saying: ***He is the first,***[5] and from the Prophet's statement: "You are the First and there is nothing before You."[6]

So, the attribute of pre-eternality negates that anything can precede His existence or that anything may have come into existence at the same time as Him. The attributes of God are likewise pre-eternal, not changing with the occurrence of any events. If we were to say that God is in a place, such as being above His creation, this dictates that change has taken place because He was only considered as being above His creation after having created it. Being 'above' can only be the attribute of a created thing because it relies upon the existence of another thing. It is thus inconceivable to attribute it to God.

Muslims believe that God is completely differentiated from contingent entities and the related properties that are essentially required of all such contingent entities. The corollary to all this entails the negation of corporeality, accidentality, universality or particularity and their concomitants concerning the Almighty. For corporeality requires the adoption of location in space; and contingence indicates that their existence is derived through another

entity. Similarly, the nature of universality is vastness and divisibility and the concomitant of particularity is minuteness, and so on.

So if Satan were to whisper into one's ear saying: "If the Lord is neither corporeal or an accident, universal or particular, than what is His reality?" Then say in response: "Nobody knows God save God alone". This attribute has been extracted from God's saying: ***There is nothing like unto Him, whilst He is the All Hearing, All Seeing***, and from the Prophetic tradition what was narrated on the authority of Ubayy ibn Ka'b who said that the polytheists said: 'O Muhammad, describe to us your Lord, so God revealed: ***Say: He is the One God: God the al-Samad***. The Prophet ﷺ explained: al-Samad is 'He who was unborn', ***He begets not, and neither is He begotten; and there is nothing that could be compared with Him.***[7] This is because nothing is begotten save that it dies, and nothing dies save that it is inherited from, whereas God does not die and is not inherited from. ***And there is nothing that could be compared with Him***. The Prophet ﷺ remarked: "He has nothing that resembles Him, no equal, and nothing compares to Him."[8] Thus God and His Messenger ﷺ described Him as having no equal or inappropriate contingent deficiencies. Therefore, the believers have understood God to be contrary to all contingent entities.

From this can be concluded the impermissibility of attributing contingent properties to God. Therefore, God is not asked about "where He is" when intending to find out the whereabouts of His essence. However, it is permissible to ask about Him with 'where' when the question pertains to His dominion, angels, or something permissible to ask about and described as being contingent. According to this understanding, whatever question or inference

that has been asked with regards to "where", including a text of which there is an outward ostensible meaning alluding to direction within the Sacred Law, is to be interpreted figuratively. And God alone is transcendent and All-Knowing.

**The 1st Issue Notes**

**1** *Al-Farq bayn al-Firaq*, Al-Baghdādī, V.1 p.321.

**2** *Al-Fiqh al-Absat*, within a group of treatises by Abu Ḥanīfah, p. 25.

**3** *Ittiḥāf al-Sādah al-Muttaqīn*, al-Zabidi v. 2, p. 24.

**4** *Al-Aqīdah al-Ṭahāwiyyah*, Imam Abū Ja'far Ahmad ibn Sallāmah al-Ṭahāwī, p.26.

**5** Qur'ān, 57:3.

**6** Muslim, 4, 2084.

**7** Qur'ān, 112:3-4.

**8** Reported by al-Hakim in al-Mustadrak in the section interpreting the chapter al-Ikhlas. He said: 'this is of sound transmission', and al-Dhahabī remarked: 'it is authentic'.

# The Second Issue:
## Attempting to discredit the Ashᶜaris

One of the grave errors the over zealot *Salafists* have fallen into is accusing the Ashᶜaris of being deviants. In doing so they resemble the Khawarij, who like them had no qualms about going against the majority of the Muslims, disparaging them, claiming that they are misguided and that only they are on the true path.

The Ashᶜari school is named after its eponym, Imam Abu al-Hasan al-Ashᶜari. Let us examine who this Imam was, and what the most acclaimed scholars through the centuries have said about him.

### Imam Abu al-Hasan al-Ashᶜari and the Praise of the Scholars for his Theological School

He is Imam Abu al-Hasan ᶜAlī, the son of Ismāᶜīl, the son of Abī Bishr Ishāq, the son of Sālim, the son of Ismāᶜīl, the son of ᶜAbd Allah, the son of Mūsā ibn Bilāl, the son of Abī Burdah Āmir, the son of the Companion of the Messenger of God, Abū Musa al-Ashᶜari.

He was born in the year 260 (Hijri), or according to some accounts 270, in the city of Basra. There are different opinions over when he died, with some accounts stating the year 333, others 324 and still others the year 330 Hijri. He died in Baghdad and was buried between al-Karkh and the Basran Gate.

Abu al-Hasan al-Ashʿari was a Sunni Muslim raised in a Sunni household. He then proceeded to study the theology of the Mu'tazilites at the hands of Abū ʿAlī al-Jubbāʾī, whom he followed in this school of thought. He later repented, and sat on a chair in the main mosque in Basra on Friday, calling out at the top of his voice, "He who knows me then indeed he knows me, and he who does not know me, then I will introduce myself to him. I am so and so the son of so and so. I used to believe that the Qurʾān is created, and that God cannot be seen by the human eye and that all acts of evil are performed independent of God. I repent and renounce my previous doctrine, with the intention of refuting the Mu'tazilites, and exposing their false polemics and errors."[1]

The jurist Abū Bakr al-Ṣayrafī said: "The Mu'tazilites had their heads raised until al-Ashʿari emerged quarantining them in the holes of red ants."[2] The Māliki jurist, Qādī ʿIyāḍ, said: "He (al-Ashʿari) composed works for *Ahl al-Sunnah*, establishing evidence for the validation of the Sunnah. He also negated the arguments that innovators used to deny certain attributes of God, like the vision of God, the Pre-Eternality of God's speech, His power, and the affairs reported in the Traditions." He further said, "Ahl al-Sunnah became attached to his works and benefited from his knowledge and method. Students flocked to him in order to learn how to defend the Sunnah and present the proofs and evidences

to defend the true faith. They were named after him, and were followed by their disciples and students, so they became known as the Ashᶜaris, although they were known before this as *al-Muthbitah* (the Affirmers), a trait by which the Muᶜtazilis knew them by. For they affirmed from both the Sunnah and the Sharīᶜah that which they (Muᶜtazilis) denied." He also said, "*Ahl al-Sunnah* from the east to the west use his methodology and proofs. Many indeed have praised him and extolled his thought and method."[3]

The Māliki jurist, Qādī Ibn Farḥūn, said about him: "He was a Māliki who composed works on behalf of *Ahl al-Sunnah*, establishing evidence for the proof of the Sunnah and refuting whatever the people of innovation had denied. He established clear proofs of validation from both the Book and the Sunnah as well as from clear rational evidences. He repelled the misconceptions of the Muᶜtazilis and similar heretical sects. He compiled extensive scholarly works by which God granted great benefit to the Muslim community. He debated the Muᶜtazilis and overcame them. Abū al-Ḥassan al-Qābisī would praise him, and in fact he wrote an epistle about him in which he rightly lavishes praise upon him. Abū Muhammad ibn Abī Zayd and other scholars of the Muslim community all confirmed his rank."[4]

## What Does the Affiliation of *Ahl al-Sunnah wa al-Jamāʿah* With al-Ashʿari' Mean?

When people began to disagree and innovators began to appear who transgressed the bounds of correct etiquette with God and His Messenger ﷺ and claimed that theirs was the creed of the Prophet ﷺ and His Companions, it became incumbent upon the believers to define the doctrine of the Prophet ﷺ and His Companions. This is what Abu al-Hasan al-Ashʿari did. He did not invent a new belief system, but rather he merely confirmed and clearly articulated the creedal system of *Ahl al-Sunnah wa al-Jamāʿah.*

Al-Subkī said, "Be certain that Abu al-Hasan did not invent any position or create a school of thought. Rather he defined the positions of the *Salaf* and defended the beliefs of the Companions of the Messenger of God. So people are affiliated to him due to the fact that it was he who defined the boundaries of the belief system of the *Salaf*, adhered to it and provided proofs to support it. Thus he who emulates him in this and uses the same proofs is called an Ashʿari. The Maliki scholar al-Māyarqī said, "Abū al-Hasan was not the first theologian who spoke in the name of *Ahl al-Sunnah.* In fact he used the methods of earlier scholars to support a school that was already well known by explaining it and furnishing it with more proofs. He did not invent a creed and he did not found a school of his own. Do you not see that the jurisprudential school of the inhabitants of al-Madīnah was attributed to Imam Mālik and anyone who adhered to it was called a Māliki? Imam Mālik rigorously adhered to the methodology of those that preceded him and since he clarified that methodology it was attributed to him. The same is said of Abu al-

Hasan al-Ashᶜari, who added nothing to the methods of the *Salaf*, save for elucidation, commentary and the works he authored to support it."[5] Al-Subkī further said, "they are the Hanafis, the Shāfīᶜis, the Mālikis and the virtuous from among the Ḥanbalis, and all praise belongs to God, in creed they are united, all of them converging upon the position of *Ahl al-Sunnah wa'l-Jamāᶜah*. They worship God according to the methodology of the Shaykh of the Sunnah, Abu al-Hasan al-Ashᶜari." He then says, "In summary, the creed of Abu al-Hasan al-Ashᶜari is contained in the creed of Abū Jaᶜfar al-Tahawi, which the scholars of the jurisprudential schools accepted and were content with."[6]

Similarly, the great scholar Ibn ᶜĀbidīn commented upon al-Haskafi's saying: "Our creed" remarking: "namely what we believe, excluding the subsidiary issues, of which belief in them is incumbent upon every legally responsible individual, is the creed of *Ahl al-Sunnah wa al-Jamāᶜah*: the Ashᶜaris and the Māturīdis. They are in complete agreement save for a few issues which some scholars have classified as being merely semantic.."[7]

For this reason, it would not be untrue to say that the creed of the Prophet ﷺ and his Companions is the Ashᶜari creed. Similarly it has been said that the majority of the Prophet's recitation was the recitation of Nāfiᶜ, despite Imam Nāfiᶜ never having seen the Prophet ﷺ, and the fact that Nāfiᶜ in reality recites like the Prophet ﷺ and not the opposite. However since Nāfiᶜ was the collector and codifier of this recitation, it was attributed to him by name. And thus it is said: 'the majority of the recitation of the Prophet ﷺ was Nafi.' Hence by extension it is correct to say that the creed of the Prophet ﷺ and the Companions is the Ashᶜari creed."

## The Doctrine of the Ashᶜaris in Regard to Annexed Reports *(al-Sifāt al-khabariyyah)*

The schools of *Ahl al-Sunnah wa al-Jamāᶜah*, namely the Ashᶜaris and Māturīdis, are clear methodologies in all areas of the science of monotheism (*tawhīd*). However, what is most often rejected by those who are ignorant of their methodology is an important issue surrounding the belief in God, namely the attributions which are ascribed to God within the scriptures. Some people affirmed these attributes according to their literal linguistic meaning, which then necessitates crudely likening the Creator to His creation. As for the people of true faith, they believe that we should not probe deeply into the meanings of such words, for they are *mutashābih* (ambiguous) verses. We do not affirm these attributes on a rational basis but rather by virtue of the fact that we have been informed of them. Thus, we accept them without believing in their literal linguistic meaning. To affirm their literal linguistic meaning is to detract from the transcendence of the Creator. This was the way of the *Salaf* of *Ahl al-Sunnah wa al-Jamāᶜah* who later became known as the "Ashᶜaris".

Later scholars believed it was necessary to offer interpretations for these words, due to the fact that merely affirming them could lead to anthropomorphism and its concomitants. Both the early scholars and the later scholars from *Ahl al-Sunnah* are in agreement that the expressions should be left as they are without negating the words, nor believing in their literal linguistic meaning which implies the similarity of the Lord to His creation. Later scholars, however, added that these words are not allowed to be understood

except in accordance with what is befitting of God. So it is as if they are saying to those who disagree with them: "If you insist upon speaking about the meaning of these attributes then mention any meaning except for a meaning which diminishes the station of God and asserts His resemblance to His creation." So they say: "The "ᶜ*ayn*" (literally eye) of God means His attention and care as in the saying of God, ***And [this] in order that thou might be formed under My Eye***.[8] However beware of saying: 'the eye is a part of the body.' Due to this, it is sound to say that the methodology of the *Salaf* is the methodology of establishing belief and the methodology of the *Khalaf* is the methodology of discussion and clarification.

This is the methodology of *Ahl al-Sunnah* in dealing with these words which if affirmed according to their literal linguistic meaning would undoubtedly result in anthropomorphism. Hāfiz al-Irāqī, when discussing "*al-wajh*" (lit. the face) said, "The mention of the *wajh* of God has been repeated several times in the Book and the Sunnah, and the scholars took two well-known positions with regard to this – as with the other attributes of God:

> **1.** Letting it pass as it is without interpretation. We thus believe in it and refer its knowledge back to its Knower with all certainty that there is absolutely nothing like unto God, and that His attributes do not resemble His creation.
>
> **2.** To interpret it in accordance with what is befitting of God's noble essence. So the meaning of the *wajh* is 'Divine Existence'.[9]

## The Second Issue Notes

**1** *Fihrist*, Ibn al-Nadīm, the third science from the fifth article, p. 231. *Wafayāt al-ʿAyān*, V.3, p.275.

**2** This and other statements about him, may God be well pleased with him, can be found in *Siyar ʾAʿlām al-Nubalā* of al-Dhahabī 15/85 and the pages after it.

**3** *Tartīb al-Madārik*, Qādī ʿIyāḍ, 5/24-25.

**4** *Al-Dībāj al-Mudhhib fī Maʿrifat ʿAyān al-Madhab*, Ibn Farḥūn al-Mālikī, p.194.

**5** *Ṭabaqāt al-Shāfiʿiyyah al-Kubrā*, by Imam al-Subkī, 3/367.

**6** *Muʿīd al-Niʿam wa Mubīd al-Niqam*, by Imam al-Subkī, p. 62.

**7** *Radd al-Muhtar ʿalā al-Durr al-Mukhtār*, known as *Ḥāshiyat ibn ʿĀbidīn*, 1/49.

**8** Qurʾān, 39:9

**9** *Tarḥ al-Tathrīb*, al-ʾIrāqī, 3/107.

# The Third Issue:

## Rejecting the need to follow one of the recognised schools of jurisprudence

One of the things which distinguishes this extreme ideology is their condemnation of the followers of the four Orthodox Schools of Sacred Law; those of Imam Abū Hanīfah, Imām Mālik, Imām al-Shafiʿī and Imām Ahmad. In what follows we shall clarify the meaning of *taqlid* or "following", and the reality of the issue with which the extremists have misled the Muslims.

With regard to legal rulings and their evidences, legally responsible individuals are in two categories:

1. Those who are able to derive rulings from their source evidences by way of *ijtihād*. Such a person is called a *mujtahid*.
2. Those who are unable to do so. Such a person is called a *muqallid* or a follower.

Both the *mujtahid* and the *muqallid* must have knowledge of the legal ruling of any particular thing so that they may act upon it

according to the degree of their obligation. The first is required to perform *ijtihād* so as to act upon the legal rulings and to follow them. The second is required to follow him.[1]

The majority of scholars of the Principles of Jurisprudence (*Usūl al-Fiqh*) take the opinion that both the layman, due to his inability to look into the primary evidences and perform *ijtihād*, and the scholar who has studied some of the prerequisite sciences for *ijtihad* but has not reached the level of *ijtihad*, must follow the *ijtihad* of a *mujtahid*.

The erudite scholar Muhammad Ḥasanayn Makhlūf said: "The scholars of the Principles of Jurisprudence and others considered the statements of the *mujtahid* scholars in relation to those who follow them (*muqallid*) to resemble legal evidence in regard to the *mujtahids*. This is not because the essence of their statements is equal to statements of the Messengers of God ﷺ in that they are a proof upon the people by which legal rulings are established, for no one would make such a claim. Rather it is because they refer back to legal sources which they have exerted immense effort to explore and study. They have continued to clarify its evidences with their impartiality, extensive reading, sound discernment, and attention to the subtle details of the Sacred Law and preservation of its texts. For this reason the *mujtahid* scholars made it a prerequisite condition that the one who derives rulings from its particular proofs – due to it being speculative in nature; providing speculative results –must be an individual of specific qualifications, strengths, and abilities which he employs to scrutinise the evidences in a manner that transforms his speculation into definitive knowledge, in order to preserve the rulings of the religion from error as much as is possible."

He continues, "Just as God and His Messenger ﷺ commanded those qualified to perform *ijtihād* to exert effort in the study of the legal sources so as to arrive at God's ruling, He also commanded scholars who have not reached the station of *ijtihād* to follow them and to strive in obtaining whatever will enable them to reach that noble position, or what is below it depending upon their knowledge and understanding. Furthermore, he commanded the laymen to refer back to the scholars, and to take from their opinions. He says in the Qurʾān: ***Ask the people of remembrance if you do not know***[2] i.e. [ask them] of the ruling of the incident so that they may inform you of it from what they have deduced from the legal evidences along with evidence from the words of God or His Messenger ﷺ or without it. For it is not necessary for the *mujtahid* or the trusted scholar to mention the evidence to those who have no knowledge of the ruling of God concerning the incident, especially if they do not understand the technical and specialised modality of how the evidence indicates the ruling, as is the case with most of the Muslim community. Or perhaps the evidence is based upon several propositions or variables with which the layman has no familiarity.'[3]

Al-Shātibī said, "The relationship of the verdicts of the *mujtahids* to the general populace is similar to the relationship of legal evidences to the *mujtahids*. The proof for this is that the existence or non-existence of evidence in regard to those that follow and emulate are equal since they do not benefit anything from it. So, looking into the evidences and deducing has nothing to do with them and is not permissible for them at all, for God said: ***Ask the people of remembrance if you do not know*** and the emulator is someone who

does not know, so it is incorrect for him to do anything but consult the people of remembrance. To them is his absolute referral in the religious rulings. Thus, they take the place of the legislator in his regard and their statements [by extension become] the statements of the legislator."[4]

If an incident occurred in the time of the Companions and the Followers (*tābiʿīn*), the laymen would hasten to ask the scholars among the Companions and the Followers about the ruling of God in regard to the incident. They would answer the laymen's queries without rebuking them and it has not been recorded that they commanded them to perform *ijtihād* so as to come to know the ruling by themselves. It can thus be said that the Companions and the Followers were in consensus that whoever is unable to perform *ijtihād* must ask those who are able to do so in order to discover the ruling on a specific issue. Consequently, obliging laymen to perform *ijtihād* entails violating this silent consensus.

Those who forbid *taqlid* force those who have no ability to perform *ijtihad* to derive rulings directly from the primary sources. They are thus obliged to do something which they are incapable of doing which is in itself prohibited due to God's statement, ***God does not burden any human being with more than he is able to bear.***[5] Additionally, if laymen had to learn the system of deriving legal rulings, they would not be able to earn a living. They would have to abandon their trades and professions which would lead to chaos in society.[6]

The scholars affirmed the permissibility of *taqlid* in subsidiary matters with no objections, but they differed over whether the emulator should follow a particular school from amongst the

schools of the *mujtahids* in every event, forming two opinions:

1. That a particular school of Sacred Law must be followed. Al-Jalāl al-Maḥallī said in his commentary of *Jam*ᶜ *al-Jawāmi*ᶜ: "It is an obligation upon laymen and those who have not reached the station of *ijtihād* to adhere to one of the schools of the *mujtahids*, the school which they deem the most preponderant or equal to the others, even if in reality it is subordinate to the other. It is then necessary in regard to the equal, that they come to the belief that it is preponderant so that their choice may have superiority over the other."[7]
2. That the layman is not obligated to adhere to a particular school in every incident and he may follow the opinion of any *mujtahid* he wishes. That is why the scholars say, "the layman has no school, but rather his school is the school of his mufti," namely one who is known for his knowledge and uprightness.

This second opinion is the correct one, for al-Nawawi said, "according to the evidence, the layman does not need to subscribe to a particular school and he may seek a verdict from whomever he pleases or from whoever he comes across as long as he does not seek out dispensations. Perhaps the scholars who prohibited him doing so feared that he would seek out dispensations."[8]

Ibn ᶜĀbidīn reported in his *Hashiyah* that al-Shurunbulālī said, "A person is not obligated to rigidly follow a particular jurisprudential school. It is permissible for him to act in a way which is at odds with

his school as long as he is following another imam and fulfilling the conditions mentioned by that imam. He can act according to two contrary commands in two separate occurrences, although he may not nullify what he has done previously by following another imām, since the execution of the act is like the verdict of the judge in that it is not revoked".[9]

When a *muqallid* follows any *mujtahid* imam he is in reality following the correct path, since all the imams are upon the correct path in that all that they are obligated to do is to follow the course of their own *ijtihād*. Moreover, the *muqallid* should not believe whilst choosing one of them that the others have erred.[10]

As for adherence to the schools of law in the framework of study and jurisprudential understanding, this is imperative and has no substitute. For the four followed orthodox Schools of Jurisprudence have been served in a manner unparalleled. The attention given to their transmission, redaction, knowledge of the preponderant position, their inferences and biographies of their scholars, make each one an independent school with its own known principles and finely defined branches. Thus, it is the duty of anyone who seeks jurisprudential understanding within the religion to follow one of their paths as a student and trainee, since the point from which he begins his studies is the end point which they reached.

## Three Well Known Objections to *Taqlid* and Following a School of Jurisprudence

**The first objection:** the evidence which the Sacred Law has obligated us to follow is the Book and the Prophetic Tradition only, and not the statements of the scholars.

**The response:** The evidence is not just the Book and the Prophetic Tradition, but it also includes Consensus and Analogy, the statements of the Companions, the Sacred Law of previous nations, cultural norms, 'juristic preference' (*istihsan*) and other things. To say that the only evidence is contained in the Book and the Prophetic Tradition is very naive. In reality the Book and the Prophetic Tradition are two sources among several from which the *mujtāhid* deduces and extracts rulings. The statements of the *mujtahid* imams are not a counterpart of the Book and the Prophetic Tradition, but rather they are a product of their understanding of them, and an explanation and elucidation.

So, accepting the opinions of the Imams does not mean ignoring Qur'ānic verses and Prophetic Traditions, but is in fact complete adherence to them. For the scriptures, whether Qur'ānic verses or traditions, only reached us through these imams. Furthermore they are more knowledgeable than those who came after them regarding the authentic and defective traditions, the sound (*ṣaḥīḥ*) from the weak (*ḍaʿīf*), the connected (*marfuʿ*) from the incomplete (*mursal*),

the mass-transmitted (*mutawātir*) from the well-known (*mashhūr*), chronological order (which one preceded the other chronologically), the abrogative from the abrogated, the reasons behind them, their language, and the rest of the related sciences along with their complete meticulousness and revision.

In addition to this they possessed complete discernment, firm religiosity, attention to detail, scrupulousness and penetrating inner sight. They gained jurisprudential understanding of the Qurʾān and the Sunnah according to the maxims of the sciences necessary for this. They extracted the secrets of the Qurʾān and Prophetic Tradition, deriving from it benefit and rulings, whilst highlighting to the people what was concealed from them through the requirements of the intellect and the tradition. Thereby, they have facilitated for them the affair of their religion and removed all potential problems by extrapolating the subsidiary rules from the foundations and referring them back to them. By this token an immense amount of good has come as a result of their efforts.[11]

> **The second objection**: We find that the *muqallid* sticks firmly to his school of jurisprudence even after coming across a hadith which goes against the position of his school. This amounts to granting precedence to the statement of the Imam over God and His Messenger ﷺ.

> **The response:** Shaykh al-Kayrānawī responds to this saying, "The reality is that the appearance of the statement of God or His Messenger ﷺ being

contrary to the statement of the Imam is dependent upon two things:

1. The knowledge that this is in fact the statement of God and the Messenger.
2. The knowledge that it is contrary to the statement of the Imam.

The *muqallid* has no knowledge of either of these, since such knowledge is dependent upon inference, and the *muqallid* is either incapable of this or if he capable, then his inference is not legally recognised, like the inference of he who inferred the obligation of the ritual bath (*ghusl*) for the one who severely wounds his head, from the verse relating to the dry ablution (*tayammum*).[12] If this is the case, how is he able to judge the *mujtahid* as contradicting, with his independent *ijtihad*, the rule of God and His Messenger ﷺ? And if he is unable to do so, then how can he leave the position of his school on the basis that it goes against a statement of God and His Messenger ﷺ?

In summary, the *muqallid* sticks to the position of his Imam when a hadith or any other source of evidence is apparently contrary to it not due to the fact that he considered his Imam's position being preponderant over God and His Messenger ﷺ, God forbid! Rather it is because it has yet to be proven to him that the position of his Imam went against God and His Messenger ﷺ. If you were

to say: "If he is not aware, then we and other scholars will point out to him that his Imam went against the hadith." We would say: "If he believes you in what you say by way of inference, he is not of its proponents, since his inference cannot be relied upon, then what of his affirmation that what you are saying is correct? Likewise, were he to believe you without evidence then he is a *muqallid* of you, with nothing to give preponderance to *taqlid* of one thing over the other. So why should he relinquish his previous *taqlid* only to emulate you?"[13]

**The third objection:** Making *taqlid* of the Imams in fact contradicts what they taught, for they prohibited people from making *taqlid* of them, especially if their opinion went against an authentic hadith, for it has been reported from each one of the four Imams, "If the hadith is authentic then it is my position."

**The response:** The claim that the *Mujtahid* Imams completely prohibited *taqlid* is a false one, for this was not reported from any of them. Moreover, were it to be authenticated that they had said this, then avoiding *taqlid* at their request is in fact *taqlid* which, according to you is prohibited! So how can people be obligated to avoid *taqlid* through making *taqlid* of them? This is a paradox. Were we to accept, for argument's sake, that the Imams prohibited people making *taqlid* of them, then the meaning of this is that only those who

> are able to perform *ijtihād* are prohibited from making *taqlid*.[14] Furthermore, the fact that the Imams responded to people's questions without censuring them and encouraging them to find the evidence from the Book and the Prophetic Tradition shows that they did not forbid people from making *taqlid* of them.

It is hoped that what has been mentioned is sufficient in clarifying the meaning of *taqlid* and the rebuttal of the objections of those who hold it in contempt. We ask God for guidance and well-being.

And God is the Most High, the All Knowing.

**The Third Issue Notes**

1 *Bulūgh al-Sūl fī Madkhal ʾIlm al-ʾUsūl*, Muhammad Ḥasanayn Makhlūf p.26.

2 Qurʾān, 16:43.

3 *Bulūgh al-Sūl fī Madkhal ʾIlm al-ʾUsūl*, p.15.

4 *Al-Muwāfaqāt*, al-Shāṭibī, 4/292-3.

5 Qurʾān, 2:286

6 *Usūl al-Fiqh*, Muhammad Abū al-Nūr Zuhayr, 4/464. The comments of ʿAbd Allah Dirāz upon *al - Muwāfaqāt*, 4/292.

7 *Sharh al-Maḥallī ʿalā Jamʿ al-Jawāmiʿ*, 2/441.

8 *Rawdat al-Tālibīn*, al-Nawawi 11/117.

9 *Hāshiyat Ibn ʿĀbidīn*, 1/51. An example of this would be if a Hanafi were to get married without a guardian (*walī*) only to later become a Shāfiʿī. In this later stage he cannot claim that his marriage is void as postulated by the Shāfiʿīs. In fact the marriage still stands as it was conducted according to the conditions of that particular previous school.

10 See: *ʿUsūl al-Fiqh al-Islāmī*, Dr. Wahbah al-Zuhayli, 2/1137-1139, *Al-Lāmadhhabiyyah Akhṭar Bidʿah Tuhaddid al-Sharīʿa al-Islāmiyyah*, Dr. Muhammad Saʿīd al-Būṭī, p.37-38.

11 See: *Maqālāt wa Fatāwā*, Yūsuf al-Dijwī, 2/581.

**12** This refers to an incident which took place during the Prophet's life in which a man had his head split open with a stone, only to later experience noctural emission. When he asked his companions whether he may take a dispensation and perform *tayyamum*, they replied in the negative. He thus performed the ritual bath and died as a result. When the Prophet was informed of this incident he said: "They killed him! May they be condemned! Do they not ask if they do not know?!"

**13** *Fawā'id fī 'Ulūm al-Fiqh*, al-Kayrānawī, p.30.

**14** *ibid*, p.33, 66.

# The Fourth Issue:

## Issuing religious edicts without being qualified to do so

The actions of the extremists have caused chaos in the realm of *fatwa* or legal judgements. Muslims live today in a time of unprecedented informational, ideological and media freedom and openness. It is no longer possible, as it was in the past, to control and regulate channels of the acquisition of knowledge, religious guidance and *fatwa*. Due to numerous forms of mass media and the ease with which people access them, Muslims now hear edicts and religious guidance from many different sources.

The *Salafists* have exploited this situation and used their financial capabilities in appropriating many channels on which they broadcast their *fatwas*. This is in spite of the fact that most of them are not qualified to issue *fatwa* and are unable to apply the rulings of the Sacred Law to the current context. Were Muslims to become aware of the nature of the judicial process of issuing edicts and their conditions and etiquettes they would know how distant these people are from having the prerequisites for issuing *fatwa*.

Issuing *fatwa* is a complex process which is the result of analysis of the evidence, the current situation and the relation between the evidence with all its various interpretations and between the current situations and world view with all its complications.[1]

Issuing *fatwa* is the work of a specialist. When an occurrence is brought to a mufti, he looks first at the true nature of what he is being asked about. If it is a new form of contract, he asks how did it come about? What does it consist of? Types of insurance, for example, or rental agreements which later result in ownership or debts during times of inflation. So, after analysing the contract and what it entails, he searches for the appropriate legal ruling if the contract is simple, and all its components if the matter is complex, displaying the evidence in sequence from the texts and external factors if found. Otherwise, he resorts to *ijtihād* using analogy and its conditions, *istislāh* and *istihsān*. It is clearly an intricate composite procedure and a highly specialized occupation, since analysis is complex as is the search for evidence in cases which have no textual evidence specific to them or any similar evidence which may be pertinent.[2]

## The Warning of the Scholars Against Issuing *Fatwa*

Due to the potential danger of issuing *fatwas* and the lack of people qualified to issue them, the scholars of our righteous predecessors taught that issuing a *fatwa* should not be taken lightly. Imam al-Nawawī said, "Know that issuing verdicts is a grave thing which

has immense implications and also great virtue, since the mufti is an inheritor of the Prophets, and the performer of a communal obligation. He does, however, run the risk of making mistakes. For this reason, it was said, 'the mufti is the delegate of God.' It has been narrated to us on the authority of Ibn al-Munkadir who said, 'the scholar is an intermediary between God and His creation, so let him be careful of how he intermediates between them.' Many famous instances have also been narrated to us on behalf of the *Salaf* and the virtuous among the later generations (*Khalaf*) refraining from issuing *fatwa*. We will mention a few of them for the sake of blessings. It has been narrated to us on the authority of ᶜAbd al-Raḥmān ibn Abī Laylā that he said, 'I came across one hundred and twenty of the Ansār from the Companions of the Messenger of God ﷺ. If one of them were asked about an issue he would refer it to someone else, and he to someone else, until it returned back to the first person.' One narration states, 'None of them would narrate a hadith save that they wanted their brother to do it on their behalf, nor that a *fatwa* be sought from them except that they wished that their brother would issue it'. Ibn Masᵓūd and Ibn ᶜĀbbās report, 'Insane is he who grants *fatwa* for all that he is asked about.' Al-Shaᶜbī, al-Ḥassan and Abū Ḥaṣīn, who were all from the Tabᶜīn, said, 'Verily, one of you will give a *fatwa* on an issue that were it to have been passed to ᶜUmar ibn al-Khattāb he would have called for a council of the Companions who witnessed the Battle of Badr [to examine the case].'

The Follower ᶜAtāᵓ ibn al-Sāᵓib said, 'I came across people whose state was such that if one of them were asked about anything he would respond whilst trembling.' Ibn ᶜĀbbās and Muhammad ibn

ᶜAjlān narrate, 'If the scholar is negligent of [saying] 'I don't know' then he has been struck in his weakest point.' Sufyān ibn ᶜUyaynah and Siḥnūn narrate, 'The most audacious of those in giving *fatwa* are the least learned.' Al-Athram narrates, 'I heard Ahmad ibn Ḥanbal say profusely, 'I do not know', and that was in regard to issues which he knew the scholarly opinions regarding them.' Al-Haytham ibn Jamīl narrates, 'I witnessed Mālik being asked forty-eight questions, to which he responded to thirty-two of them, 'I do not know.' Mālik reported that he would perhaps be asked fifty questions and not respond to one of them. He would also say, 'He who answers a question, before doing so should expose himself to the realities of Paradise and Hell, and then consider [the means to] his salvation, then answer.' He was asked a question and replied, 'I do not know,' to which it was replied, 'it is a simple issue with minimal repercussions.' Upon this he got angry and said, 'there is nothing in knowledge with minimal repercussions!'

Al-Shāfiᶜī said, 'I have never seen anyone for whom God has brought together the tools for issuing edicts yet with such reluctance to do so as Ibn ᶜUyaynah.' Abū Hanīfah said: 'Were it not for the fear from God that knowledge would be lost, I would never have issued verdicts. For them is facilitation and upon me is the sin.' Their statements regarding this are numerous and well known. Al-Ṣaymarī and al-Khatīb said, 'In most cases, those who hasten and vie to issue verdicts and do so constantly have minimal success and have turbulent lives. If, however, they give verdicts not desiring to do so but out of obligation, finding no possible alternative, and referring the matter to someone else the assistance they receive from God is greater and the validity of their answer are

more likely.' They inferred this point from the Prophet's authentic saying, "Positions of authority are not sought, for were you given it upon request, you would be left to your own management, and were you given it without requesting it, you would be [Divinely] assisted in it."[3]

## The Stipulated Requirements of a Mufti

### Things which are not required:

There are many things which are not required and it may seem illogical to mention them, since the inexistence of a requirement does not need to be stipulated. Despite this, we shall mention some of them, especially because in our current time many matters have become ambiguous, which has obligated us to bring it to people's attention.

- It is not a prerequisite, according to the consensus, that the mufti be male. The verdict of a female being sound.
- Utterance of the verdict is not a prerequisite according to the consensus, so the verdict of a mute person applies. They are also applicable in written form or an understood gesture,
- Sight is not prerequisite according to the consensus, with the verdict of the blind applicable. The Mālikites explicitly declared this.

- As for hearing, some of the Hanafites have stated that it is a prerequisite, meaning that the verdict of a deaf person, meaning someone who cannot hear at all, is void. Ibn ᶜĀbidīn said, "There is no doubt that if a question is written for him and then he answers, his verdict is applicable, but it is preferable that he not be made a Mufti, since not everybody can write for him." This condition was not mentioned by anyone else.

**Requirements of a Mufti:**

- The mufti must be Muslim, so the verdicts of non-Muslims are invalid.
- The mufti must be of sound intellect, so the verdicts of the insane are invalid.
- The mufti must have reached the age of puberty if male or the age of menstruation if female, or fifteen years of age (whichever comes first). The verdict of a juvenile is inapplicable.
- The mufti must have the prerequisite knowledge. Issuing verdicts without knowledge is forbidden as it involves lying against God and His Messenger ﷺ, and misguiding people which is a major sin. God says: ***Say, "My Lord has only forbidden immoralities - what is apparent of them and what is concealed - and sin, and oppression without right, and that you associate***

***with God that for which He has not sent down authority, and that you say about God that which you do not know."*** [4] God associated it with 'shameful deeds', 'tyranny' and 'ascribing of divinity to other beside Him'. Likewise, the Prophet ﷺ said, 'God does not remove knowledge by extracting it from the breasts of scholars, but rather He removes knowledge by removing scholars, until no scholars remain and people take ignorant people as their leaders. When they are asked they issue verdicts without knowledge. Thus going astray and leading others astray.'[5] Similarly he said, 'If someone issues a verdict without knowledge, then the sin of the person who sought the verdict is upon the person who issued it.'[6]

- The mufti must be a specialist in jurisprudence, its principles and legal maxims in great detail and have experience in the application of the specifics of the law and awareness of the current situation. It is possible, in our current time, to explain "specialisation" as obtaining a postgraduate degree from a certified university in the Islamic sciences. However, despite this condition being the stipulation of knowledge and *ijtihād* [in general], knowledge of jurisprudence and the application of *ijtihād* within it also requires specialisation, since only jurists may issue verdicts and not scholars of hadith or anyone else who has not undertaken a deep study of jurisprudence.

It is possible that a jurist may specialise in a particular area of law and then issues verdicts in that area and not do in other areas. Al-Zarkashī clarified this when he said, "if the mufti is cognisant of a genre of knowledge with its evidences and principles, whilst lacking in the other sciences, like the science of inheritance and the pilgrimage rites, then it is impermissible for him to issue verdicts in other than it. Is it permissible for him, however, to grant verdicts in that particular genre that he is specialised in? It has been deemed permissible by some due to his encompassment of its principles and evidences yet the majority deemed it impermissible, since due to the close relation of legal rulings and harmony of evidence there exists a fusion, the understanding of some of it does not become manifest save with the command of all dimensions."

- The mufti must be morally upright and his reputation must not have been tarnished by departing from the norms of the society in which he lives. Were he, for example, to walk down the street barefoot, or do something similar that was disapproved of in society, his reputation would be tarnished. The verdict of someone who is not morally upright is not accepted according to the majority of scholars, for a verdict involves the mufti informing others of the legal ruling, and the testimony of someone who is not morally upright cannot be accepted. Some scholars have said an exception to this is an immoral individual who issues a ruling to himself, for he knows the truthfulness of himself. In any case, divergence amongst the jurists

regarding the verdicts of those who are not morally upright immoral is well documented.

• The mufti must have reached the rank of *mujtahid*, whereby he is able to exert effort to deduce legal rulings from the recognised evidences. Al-Khatīb reports that al-Shāfiᶜī said, "It is not permissible for anyone to issue verdicts in the religion of God save someone who is knowledgeable of the book of God, its abrogative and abrogated (verses), its clear and ambiguous, its apparent from its concealed, Meccan verses from Medīnan, and proper contextualisation. Furthermore, he must have deep knowledge of the hadith of the Messenger of God ﷺ, a knowledge equivalent to his knowledge of the Qurʾān. He must have a deep knowledge of the Arabic language, poetry and what he requires from the Qurʾān and the Sunnah and be impartial in their application. He should be cognisant of the differences of the scholars from various lands as well as having a high level of discernment and intellectual ability. If this is the case then he may discuss and issue verdicts regarding the permitted and the forbidden. If he does not meet these criteria then he may not issue verdicts".[8] Al-Zarkashī mentions that Ibn al-Samᶜānī said: the mufti must fulfil three conditions: *ijtihād*, uprightness, and refraining from seeking dispensations'.[9]

• The mufti must possess strong faculties of understanding in order to facilitate that he often reaches the correct position, and deduce in a sound manner both

of which demand correct comprehension of the issues. The degree to which the *mujtahid* comprehends and conceptualises the issue is the degree to which the level of his *ijtihād* will rise and surpass his contemporaries. This is therefore similar to what is known in psychology as "innovative conception" or "creative imagination". We find confirmation of this in the statements of the scholars: Ibn Burhan said, "there can be no consensus if one *mujtahid* is in disagreement contrary to the position of another party. It is understood that the mass-agreement of *mujtahids* when agreeing upon an issue demands the weakness of the contrary opinion of that isolated *mujtahid*. We say, 'this is incorrect, for it is possible that the opinion of the many can be the apparent one which springs to mind, whereas the opinion of one may be more precise and abstruse. An individual may be uniquely in possession of strength in understanding and depth in research. This is why during every epoch there is someone preeminent in knowledge who derives new rulings and amazes people with his insight."[10] Al-Ghazalī said in the book *Haqīqat al-Qawlayn*, "Envisioning issues is not a simple matter in itself. An astute person may well be able to issue a verdict in every issue if given a correct depiction, yet were he obligated to envision and portray all possible corollaries and incidents in every event he would not be able to do so. These visualisations would not come to his mind in the first place. This is the affair of the *mujtahids*."[11]

It is no secret that "innovative thinking" today has independent sciences which instruct the individual on how to achieve it and is studied by politicians and decision makers in the West. It is a science which should from its foundations be added to the Principles of Jurisprudence since it is a means for *ijtihād*, especially in our current time. Due to all these aforementioned reasons the verdict of the fool is not accepted, nor the one who is prone to error. On the contrary, he should be naturally shrewd and insightful of the objectives of speech and the indications of contextual clues, and sincere in judgement. Al-Nawawī said, "The condition of the mufti is that he be deeply comprehensive of the self, of sound mind and composed thought, and of sound circumspection and deduction."[12]

- The mufti must be astute and aware, void of obliviousness. Ibn ᶜĀbidīn said, "his saying: 'and some of them stipulated awareness' was in order to remove those that are overcome by negligence and forgetfulness. I say, this is a necessary condition in our time, for the convention today is that he who obtains a verdict from a mufti encroaches upon his adversary and compels him to his statement, 'the mufti passed the verdict', to insinuate that the truth is with him, whilst his opponent is ignorant, unaware of what the verdict involves. Therefore, it is imperative that the mufti be conscious, cognisant of the stratagems of the people and their plots."[13]

Ibn al-Qayyim said, "He should be aware of people's states and their schemes and deceptions. He does not need to have a good opinion of them, but rather he should be cautious and astute, deeply comprehensive of people's states and affairs, supported by his understanding of the Sacred Law. If such is not the case then he strays and misguides others. For how many an issue outwardly seems a simple matter, whilst in reality it is deception and wrongful? The naive looks at it according to its outward appearance, judging it to be permissible, whereas the person of insight scrutinises its purpose and inward dimension".[14]

This is a summary of the requirements of a mufti. Beyond this there are other characteristics which he must possess. These characteristics are called ādāb or etiquettes which we will present in what follows.

## The Etiquettes of a Mufti

The mufti must abide by a number of etiquettes. Unlike the requirements, they cannot be listed comprehensively, so we shall mention a summary of the etiquettes mentioned by the imams and the scholars. A good example is the statement of Imam Aḥmad: "No one should appoint himself to issue edicts until he has five things:

1. A (pious) intention. Without this he has no light and neither do his words.
2. Knowledge, forbearance, gravity and calmness.

3. A firm grounding in what he does and knows.
4. Self-sufficiency or else people will consume him.
5. That he is knowledgeable of the nature of people."[15]

It is important that he is well dressed and adheres to the Islamic legal rulings regarding clothing. He must observe purity and cleanliness, avoid silk and gold and the garments which constitute the insignia of non-Muslims. Were he to wear expensive garments this would more likely lead to his words being accepted because the effect of one's appearance upon the general populace is well known. The mufti in this respect is similar to the judge.

He should also be of upright conduct and his actions and statements should be in accordance with the Sacred Law, for he is held as an example in both his speech and actions. Through his actions a great amount of information is conveyed, since people's eyes are upon him and they naturally emulate him. He should therefore act upon the verdicts he issues, refraining from the forbidden and abhorrent towards which he has prohibited so that his word and deed may be in conformity, his action confirming his word and supporting it. Were his actions to contradict his words people would not accept his verdicts. This is due to man's inherent disposition of being affected by another's actions. This does not mean that he may not issue in such a scenario, as no one is free from error. It is determined among the scholars that the commander to good and prohibitor of immoral acts does not need to be someone in complete compliance and desistance [from those acts], as long as his violations have not reached such an extent that he can no longer be regarded as being upright, in which case his verdicts are not valid.

Furthermore the mufti should not issue verdicts while he is angry, joyful, hungry, thirsty, exhausted, out of character, drowsy, ill, uncomfortable due to extreme heat or cold or needing to relieve himself or is affected by anything else which would affect his thinking and judgment. This is because the verdict is the conveyance of a legal ruling, and its issuer is like a judge, so he must follow the advice of the Prophet ﷺ when he said: "A judge in a dispute between two individuals must not pass judgement whilst he is angry."[16] Should the mufti be in any of the aforementioned states, he must refrain from issuing a verdict until he returns to his normal state. Were he to issue a verdict in such a state but he did not believe it to have affected his judgement, then the verdict is valid. If, however, his judgement was impaired by the state that he was in, his verdict would not be applicable even if it was legally correct.

Another etiquette is for the mufti to consult others before issuing a verdict. If he has people close to him whose judgement he trusts due to their knowledge and religiosity, he should consult them. He should not see himself as being independent and not in need of consulting others. This was the practice of the rightly-guided Khalīfas, especially ʿUmar. Indeed, the reports about his consultations with the rest of the Companions are innumerable. It is hoped that through consultation that whatever the mufti may have not taken into account may come to light. This is the case as long as consultation does not lead to breaching confidentiality.

Upholding confidentiality is another etiquette which the mufti must abide by, since he is like a doctor who knows people's private affairs. Were these affairs to become public, they could

possibly cause personal damage. Were the mufti not to uphold confidentiality, the person seeking a verdict may seek to hide the true nature of his problem.

The mufti must also recognise the state of the person seeking a verdict. This has many dimensions:

- If the questioner is slow has limited understanding, then the mufti should proceed with him slowly and be patient in understanding his question and enabling him to grasp his response.
- If the mufti must touch upon other relevant legal points which the question itself did not treat, then he should elucidate, adding this to the answer of the question for the purpose of advice and guidance. This was adduced by the scholars from the narration that some of the Companions asked the Prophet ﷺ about performing ablution with seawater, to which he responded: 'Its water purifies, and creatures which die in it are permissible [to eat].'[17] It is permissible for the mufti to digress from answering the question, resorting to what is more beneficial, as the saying of God reads: ***They ask you as to what they should spend on others. Say: Whatever of your wealth you spend shall be for your parents, and for the near of kin, and the orphans, and the needy, and the wayfarer; and whatever good you do, verily, God has full knowledge thereof.*** [18] Here people asked the Prophet ﷺ about what to spend and he replied by explaining who it

should be spent on, since this is more important than what they originally asked about.

- If the questioner asks the mufti about something which he is in need of and the mufti tells him that it is impermissible, he must give him an alternative. In the same way, if a skilled doctor tells a patient he must avoid certain harmful foods, he always recommends a healthy alternative.
- If the mufti is asked about something which has not taken place, then this is an issue of *ijtihad* and he should refrain from answering. Instead he should indicate to the questioner that he should ask about that which affects him directly, which will then benefit him and which may be applied. Ibn ᶜAbbās said: "they (the Companions) would only ask about that which benefited them". He also said to 'Ikrimah, "ᶜIkrimah, go out and grant verdicts to the people. If someone asks you about what does not concern him then do not answer him, for verily you will relieve yourself of [the burdens of issuing verdicts to] the people."[19] Moreover, it becomes obligatory for him to refrain from answering if the questioner is unable to comprehend the answer, as is demonstrated by the statement of Ali, "Speak to people in accordance with what they know. Do you wish that people deny God and His Messenger ﷺ?"[20] Ibn Masūd said, "Whenever you address a people with statements that they do not understand, it becomes a form of tribulation for some of them."[21]

Another important etiquette is for the mufti to make things easy for people. In fact, in our time it could be considered a requirement. He must conceal their faults and help them to remain within the broad confines of the religion by adhering to a recognised position within the Sacred Law. A scholar may unwittingly 'obstruct the path to God' and cause people to leave the faith altogether or drive them to immorality. Making things easy does not mean giving people so many concessions that they are no longer adhering to the Sacred Law, as this is forbidden. The difference between the two is very subtle, and unnoticed by many. Thus, the main objective which the mufti seeks to accomplish is to produce a legal mechanism which does not depart from the Islamic jurisprudential legacy, while not being a stumbling block for the contemporary Muslim. He should not be condemned for doing this, since the position is an issue of scholarly debate. The basis for this is the legal maxim, 'If someone is confronted with something the permissibility of which the scholars differ over, he should follow the opinion of those who permitted it.' The erudite scholar al-Shirwani explained this by saying, "For he who is confronted with something like the aforementioned, as happens often, he may follow such a legal maxim so as to free himself from the prohibition."[22]

Ibn Amīr al-Hāj defined facilitating ease as, "his taking (from various opinions) that which is easiest among every issue as long as there is no legal preventive; for the individual may follow what is easiest for him if it is feasible in that he has not already begun following another opinion which is contrary to the easier one." He goes on to say, "It is most likely that the likes of these restrictions from the scholars are in order to prevent people from seeking out

dispensations. Otherwise the layman may take in every issue the easiest opinion of the *mujtahid*, for I do not know what rationale or what evidence there is from the tradition that prevents this. I do not know anything from the Sacred Law which has censured someone choosing what is a lighter burden upon himself by taking the opinion of a *mujtahid* for whom *ijtihād* has been made permitted, for the Prophet ﷺ would love the things which were lightened upon him.'[23]

Hopefully, through this presentation the realities and virtues of legal edicts have become clear as well as the requirements and etiquettes of the mufti. We ask God to grant us sincerity in our words and deeds. And God is the Most High, the All Knowing.

**The Fourth Issue Notes**

**1** *Ṣanā*ʿ*at al-Fatwā wa Fiqh al-*ʿ*Aqalliyyāt*, Bin Bayyah p.11.

**2** *ibid* p.14.

**3** *Al-Majmū*ʿ, *al-Nawawī*, 72-73.

**4** Qurʾān, 7:33.

**5** Reported by Aḥmad in his *Musnad*, 2/162. Al-Bukhārī, 1/51, Muslim, 4/2058.

**6** Al-Dārimī in his *Sunan*, 1/69. Al-Bayhaqī in his *Sunan al-Kubrā*. Al-Hākim in *al-Mustadrak*, 1/184.

**7** *Al-Baḥr al-Muḥīt*, al-Zarkashī, 8/358.

**8** *ʾIʿlām al-Muwaqqiʿīn*, Ibn al-Qayyim, 1/37, in which he transmitted from *al-Khatīb al-Baghdādī* from al-Shāfiʿī.

**9** *Al-Baḥr al-Muḥīt*, al-Zarkashī, 8/358.

**10** *Al-Radd* ʿ*ala man Akhlad fil* ʾ*Arḍ*, al-Suyūṭī, p. 169.

**11** *Ibid* p. 181.

**12** *Al-Majmū*ʿ, al-Nawawī 1/75.

**13** *Hāshiyat Ibn* ʿ*Ābidīn*, 5/359.

14 ʾ*Iʿlām al-Muwaqiʿīn*, Ibn al-Qayyim, 4/176.

15 *ibid*, 4/152.

16 Reported by al-Bukhārī in his *Saḥīḥ*, 6/2616, Abū Dāwūd in his *Sunan*, 1/83, and al-Nisāʾī in his *Sunan*, 8/247.

17 Reported by Aḥmad in *al-Musnad*, 2/227, Abū Dawūd in his *Sunan*, 1/21, al-Tirmidhī in his *Sunan*, 1/101, and al-Ḥākim in *al-Mustadrak*, 1/237.

18 Qurʾān, 2:215

19 Mentioned by Ibn ʿAbd al-Barr in *al-ʾIstiʿāb*, 2/31, and al-Dhahabī in *Siyar ʿAlām al-Nubalāʾ*, 5/15.

20 Reported by al-Bukhārī in his *Saḥīḥ*, 2/185.

21 Reported by Muslim in his *Saḥīḥ*, 1/11.

22 Mentioned in *Ḥāshiyat al-Sharwānī ʿalā Tuḥfat al-Muḥtāj*, 1/119.

23 *Al-Taqrīr wa al-Taḥrīr fī Sharh al-Taḥrīr*, by Ibn Amīr al-Ḥāj, 3/351, about dispensations.

# The Fifth Issue:

## Considering muslims' actions to be reprehensible innovations (*bid*$^{c}$*ah*)

One of the most repugnant understandings that these neo-*salafists* have relates to the concept of innovation, which they hold to be far more all-encompassing than it actually is. This leads them to consider most actions that Muslims perform, whether they be acts of worship or customary practices, to be reprehensible innovations. The reason for this is that they believe that any act which the Prophet ﷺ did not perform is a reprehensible innovation the performance of which is impermissible. Due to this you find them censuring anyone who raises his hands after the prayer to supplicate to God, exclaiming, 'this is a reprehensible innovation, for the Prophet ﷺ did not perform it!' Likewise, they censure those who wish to shake hands with each other after the prayer… and so on.

This begs the question: if someone does something which the Prophet ﷺ did not do would this constitute a reprehensible innovation? The erudite scholar al-Sayyid $^{c}$Abd Allah ibn Siddīq al-Ghumārī authored a treatise on this topic (*husn al-tafahhum wa'l-dark li mas'alat al-tark*) in which he clarified that the fact that the

Prophet ﷺ did not do something does not dictate that that thing is prohibited. He opens the work with some tremendous lines of poetry in which he says:

> *Relinquishment is not a form of proof in our Sacred Law*
> *It does not constitute prohibition or command*
> *As for he who seeks to derive prohibition from the Prophet's relinquishment*
> *Believing it to be a sound and correct verdict*
> *He has indeed deviated from all of which constitutes evidence*
> *Rather erred with regard to the true ruling and failed*
> *No prohibition is assumed unless coupled*
> *With a threat that condemns its violators a chastisement*
> *Or the rebuke of an act which notifies of a punishment*
> *Or the word usage of prohibition accompanied with condemnation.*

Muslim scholars past and present in the East and West are in agreement that the fact that the Prophet ﷺ did not do something was never considered as legal evidence in and of itself. The evidence which they used for establishing a legal ruling (whether it was obligatory, recommended, permissible, disliked or forbidden) was the following:

- Textual evidence from the Qur'ān
- Textual evidence from the Prophetic Tradition
- Consensus upon a ruling
- Analogy

There were a number of other evidences which some scholars accepted and some rejected. They include:

- The opinion of a Companion
- Blocking the means (*sadd al-dhari`ah*)
- The actions of the people of Madīnah
- Mursal Hadith
- Judicial preference (*istihsan*)
- Weak hadith

There are other evidences which the scholars used but the fact that the Prophet ﷺ did not do something was never considered one of them and it is a point of agreement that on its own it cannot be used to deduce a legal verdict. There are a number of examples which show that the Companions did not believe that the fact that the Prophet ﷺ did not do something implied that such an action was prohibited, nor even that it was disliked, and this is the understanding of the jurists over the centuries.

Ibn Hazm refuted the position of the Malikis and Hanafis, who hold that to pray two cycles of prayer before the sunset prayer (*Maghrib*) is disliked due to the fact that neither Abū Bakr nor ᶜUmar nor ᶜUthmān used to pray them. He said, "this does not serve as evidence; the first reason being that the hadith has an interrupted chain of transmission. Moreover, even if it were authentic it still would not constitute evidence, due to the fact that they (Abu Bakr, Umar and Uthman) did not prohibit (the prayer) nor did they dislike it. And we are not in disagreement with them that it is permissible to refrain from performing a supererogatory action."[1]

This is the position of Ibn Hazm in cases where the Companions did not perform acts of worship, and this was exactly his position in cases where the Prophet ﷺ did not perform acts of worship which had a legal basis. He said when discussing the permissibility of praying two cycles after the afternoon prayer: "As for the hadith of ᶜAlī ibn Abi Talib, it is not a proof in and of itself, since all it entails is him informing of what he knows, namely that he did not see the Messenger of God ﷺ pray them, and he is telling the truth. But such a statement does not imply that such a prayer is prohibited or even disliked. Additionally, the Prophet ﷺ did not fast a whole month save for the month of Ramadan, yet this does not mean it is disliked to fast a whole month voluntarily."[2] Ibn Hazm understood that the fact that the Prophet ﷺ did not fast a whole month other than Ramadan does not mean that it is prohibited to do so or even disliked, even though the Prophet ﷺ himself did not do it.

It has well established that to begin with the Prophet ﷺ delivered sermons leaning on a tree stump and not standing on a pulpit. However, the Companions did not believe that to deliver a sermon on a pulpit was an innovation or was forbidden. They thus constructed a pulpit for the Prophet ﷺ.[3] If such an act were forbidden it would not have been fitting for the Companions to embark upon it. Thus, it is understood that they did not consider the performance of an action which the Prophet ﷺ had not performed to be a reprehensible innovation.

Rafāᶜah ibn Rāfi' al-Zarqi narrates, "We were one day praying behind the Prophet ﷺ. When he raised his head from bowing he said, 'God hears those that praise him'. A man behind him said:

'Our Lord, unto You belongs all praise, praise that is immeasurable, wholesome and blessed.' After the prayer had finished the Prophet ﷺ asked, 'Who was it who spoke?' It was me,' he replied. The Prophet ﷺ said, 'I saw more than thirty angels competing with each other to see which of them would record it first'."[4] In this hadith, the Companion invented a supplication that he had never heard the Prophet ﷺ make. He did not understand that the fact that the Prophet ﷺ did not make this supplication meant that it was prohibited to do so. If he did, how could he perform something which he believed to be forbidden? The Prophet ﷺ did not then rebuke him, saying for example, 'well done, but do not repeat it'. Nor did he prohibit him from inventing other supplications in prayer. For as we know [in *Usul al-Fiqh*], to delay clarification of a ruling past the time of need is not permissible. Had it been impermissible, the Prophet ﷺ would have had to have clarified it immediately.

Similarly, our master Bilal did not understand that the fact that the Prophet ﷺ did not perform two cycles of prayer after ablution meant that it was impermissible to do so. Rather he did so and did not inform the Prophet ﷺ. When the Prophet ﷺ asked him, "O Bilal, inform me of the action which you have performed after embracing Islam which gives you the most hope, for indeed I heard the sound of your footsteps in front of me in Paradise." Bilal replied, "The action of mine which gives me the most hope is that I never perform ablution during the night or the day save that I perform after it whatever was ordained for me to pray."[5] Our master Bilal thus prescribed for himself a prayer at a time which the Prophet ﷺ did not prescribe. Furthermore, he considered this

to be the action of his which gave him the most hope of receiving God's reward and forgiveness.

We infer from the understanding of the Companions in the aforementioned hadiths that formulating one's own supplications and praying at times which the Prophet ﷺ did not pray is permissible. Further evidence to support this is provided by the fact that the Prophet ﷺ did not rebuke the Companions for their approach, nor did he forbid them from taking a similar approach in the future. It is true that performing prayer after ablution subsequently became a sunnah due to the Prophet's approval of it, but this does not detract from the fact that the origin of the act came out of Bilal's understanding.

So, if the Prophet ﷺ or the Companions not doing something does not constitute an innovation (*bid`ah*), then how did Muslim scholars understand the concept of innovation, and what were their methods and approaches in this regard?

There are two scholarly approaches to defining "innovation" in the Sacred Law:

> **The first approach** is that of al-ᶜIzz ibn ᶜAbd al-Salām. He considered an action which the Prophet ﷺ did not perform to be an innovation. He then divided innovation into different categories each with its own ruling. He said, "An innovation is an act which was unknown in the time of the Prophet ﷺ, and it is divided into: an obligatory innovation, a forbidden innovation, a recommended innovation, a reprehensible innovation

and a permissible innovation. Each type is known by measuring it against legal principles: if it falls under the maxims of obligation then it is obligatory, and if it falls under the maxims of prohibition then it is forbidden, if it falls under the maxims of the recommended then it is recommended, if it falls under the maxims of being disliked then it is disliked and if it falls within the maxims of permissibility then it is permissible."[6] Imam al-Nawawī confirmed this meaning when he said, "Everything that was not in the Prophet's time is considered an innovation, but some innovations are good and some are not."[7]

**The second approach** is to give the concept of innovation a specific meaning within the Sacred Law which is much narrower than its linguistic meaning. Innovation is thus only applicable to acts which are forbidden. Obligatory, recommended, permissible and disliked innovations are not termed as such as they were by al-ᶜIzz ibn ᶜAbd al-Salām. Ibn Rajab al-Ḥanbali was one of those who used this method. He said, "The meaning of innovation is that innovated act which has no basis within the Sacred Law. As for what has a basis, then this is not an innovation, despite being considered an innovation linguistically.'[8]

In reality, both approaches reach the same conclusion regarding the concept of innovation, but they differ in how they reach this

conclusion. The conclusion is that a reprehensible innovation is that which has no basis in the Sacred Law, and its performance is a sin. This is what was meant by Prophet's statement, 'Every innovation is misguidance.'[9]

This was the clear understanding of the leading scholars of the Muslim community. Imam al-Shāfiᶜī is reported by al-Bayhaqi as saying, "Innovated acts are of two types: the first being that which goes against the Book or the Sunnah or a report or the consensus. This is a misguided innovation. The second is any good innovation which does not go against any of the aforementioned, in which case it is not classified as a reprehensible innovation."[10] The 'Proof of Islam', Abū Ḥāmid al-Ghazālī said, "Not every innovation is prohibited but rather the prohibited is that innovation which goes against a confirmed Sunnah and nullifies a legal injunction."[11]

Imam al-Nawwawī quoted the sultan of the scholars, ᶜIzz al-Dīn ibn ᶜAbd al-Salām, when he said: "the venerable sheikh and imam, whom consensus has been reached concerning his loftiness and immense depth and proficiency in various sciences Abū Muhammad ᶜAbd al-ᶜAzīz ibn ᶜAbd al-Salām, at the end of his book *al-Qawa'id* said, "innovation is divided into obligatory, forbidden, recommended, permissible…"[12]

Imam al-Nawawī continues regarding shaking hands after the prayer, "Know that shaking hands is recommended during all meetings. As for the common custom of shaking hands after the morning and afternoon prayer, there is no clear basis for it within the Sacred Law. Yet there is no harm in it, since shaking hands is a Sunnah. The fact that people have observed this practice on certain occasions and neglected it on many, if not most, occasions does

not remove these few instances from the concept of shaking hands mentioned within the Sacred Law."[13]

Ibn al-Athīr said, "Innovation is of two kinds: a guided innovation and a misguided innovation. As for what contradicts that which God and His Messenger ﷺ commanded, it falls within the realm of censure and rebuke. As for that which falls within the realm of what He recommended and encouraged then it falls within the permissible." He continued, "the virtuous innovation is in fact a Sunnah, and according to this interpretation the hadith, 'Every newly invented matter is an innovation', is understood to mean everything that contradicts the foundations of the Sacred Law and goes against the Sunnah."[14]

Ibn Manzur has a useful discussion of innovation and its technical meaning. He says, "innovation is of two kinds: a guided innovation and a misguided innovation. Anything that contradicts that which God and His Messenger ﷺ commanded falls within the realm of censure and rebuke, and that which falls within the generality of what he recommended and encouraged is praiseworthy. As for what possesses no existent parallel, like some sort of benevolence, generosity, or an honourable act, then it is a praiseworthy act, and it is not possible that this would be contrary to the teachings of the Sacred Law, for the Prophet ﷺ allotted a reward to such acts, saying, 'He who establishes a good practice (*sunnah*) will receive its reward and the reward of those who act according to it.' He also said in regard to its opposite, 'He who establishes a reprehensible practice (*sunnah*) will bear the sin of it and the sin of those who act according to it.' This is the case if it goes against what God and His Messenger ﷺ have enjoined. The saying of Umar (regarding the

*tarawih* prayer in Ramadan), 'What a wonderful innovation this is,' is of the first type, due to it being a virtuous act and falling within the sphere of what is praiseworthy. He thus called it an innovation and praised it. It is an innovation because the Prophet ﷺ did not establish it for them, but rather prayed it on some nights and then left it on other nights. He was not consistent in its performance and he did not gather people to pray it in congregation. This was also the case during the time of Abū Bakr. It was only Umar who gathered people and encouraged them to perform it in congregation. Due to this he called it an innovation. Such an innovation is in fact a Sunnah, for the Prophet ﷺ said, 'Adhere to my Sunnah and the Sunnah of my rightly guided successors.' He also said, 'Emulate those after me, Abū Bakr and ᶜUmar.' According to this interpretation, the hadith, 'Every newly invented matter is an innovation', is interpreted to mean that which contradicts the foundations of the Sacred Law and is at odds with the Sunnah."[15]

## How Did Scholars Treat the Concept of Innovation?

Most of the emulated scholars of the Muslim community understood innovation to be divided into different categories, as was manifest in the words of Imam al-Shāfiᶜī, and those who adhered to his school such as al-ᶜIzz ibn ᶜAbd al-Salām, al-Nawawī, and Abu Shāmah. The same is the case with the Mālikis: al-Qarāfī, and al-Zarqāni; the Hanafis: Ibn ᶜAbidīn, the Ḥanbalis; Ibn al-Jawzī and the Zāhiris: Ibn Ḥazm.

This position is manifest in al-ʿIzz ibn ʿAbd al-Salam's definition of innovation, "It is an action which was not known during the time of the Messenger of God ﷺ, and is divided into obligatory, forbidden, recommended, reprehensible, and permissible."[16]

The scholars gave examples for each category:

- An example of an obligatory innovation is like the study of grammar by which the words of God and His Messenger are understood. This is an obligation, for it is a necessity for the preservation of the Sacred Law; and as the maxim reads: that which is required to fulfil an obligation is in itself obligatory.
- Examples of forbidden innovations can be seen in the heretical beliefs of the Qadariyyah, Jabariyyah, Murjiʾiah and Khawarij.
- Examples of disliked innovations are the excessive ornamentation of mosques and copies of the Qurʾān.
- Examples of permissible innovations are shaking hands after the prayers, and enjoying expensive foods, drinks and clothing.

The evidence the scholars used to divide innovation into five categories include the following:

1. ʿUmar's statement regarding the congregational *tarawīh* prayer in the mosque during Ramaḍān, "what a wonderful innovation this is." ʿAbd al-Raḥmān ibn

ᶜAbd al-Qārī said, "I went out with ᶜUmar ibn al-Khaṭṭāb one night during Ramaḍān to the Mosque, and people were scattered around: some were praying alone and others were praying behind a man in small groups. Upon this ᶜUmar remarked, 'I believe if all the people were gathered under one reciter that would be better.' So he resolved to do so, gathering the people behind Ubayy ibn Ka'b. I then went out with him another night, and the people were all praying behind one reciter, to which ᶜUmar exclaimed, 'what a wonderful innovation this is but what they miss out on when they are asleep is better than what they are doing'. He was referring to prayer at the end of the night, whereas the people were standing in prayer at the beginning of the night.'.'"[17]

**2.** Ibn ᶜUmar considered the ḍuha prayer performed in congregation in the mosque a good innovation. Mujāhid narrates, "I entered the mosque with ᶜUrwah ibn al-Zubayr when we suddenly noticed ᶜAbdullah ibn ᶜUmar sitting against the room of ᶜĀʾishah. At this time the people were praying the ḍuha prayer. So we asked them about their prayer and he replied, "[it is] an innovation."[18]

**3.** The hadiths which mention the division of innovation into praiseworthy and blameworthy, which include, 'He who establishes a good practice (*sunnah*) will receive

> its reward and the reward of those who act according to it until the Day of Judgement. He who establishes a reprehensible practice (*sunnah*) will bear the sin of it and the sin of those who act according to it until the Day of Judgement.' [19]

It is now clear from what has been mentioned that there are two perspectives: a general one adopted by Ibn Rajab al-Ḥanbalī and other scholars which is that an act which an individual is rewarded for and is legally permissible is not legally termed a reprehensible innovation, despite it being an innovation in the linguistic sense. The other perspective is that of al-ᶜIzz ibn ᶜAbd al-Salām, which we have thoroughly discussed. It is important that Muslims be aware of what has been mentioned, since it has become a major issue that has profound effects upon Islamic thought and the treatment of jurisprudential issues. It also affects the way Muslims perceive their brethren in faith. A person may judge others to be sinful innovators due to his ignorance of these principles, which are indeed clear, and yet have become in these days extremely ambiguous and unfamiliar.

We beseech God for safety and well-being, and indeed He is the Most High and All Knowing.

**The Fifth Issue Notes**

**1** *Al-Muḥallā bi al-Āthār*, by Ibn Ḥazm, 2/22.

**2** *Ibid*, 2/36.

**3** Reported by Aḥmad in his *Musnad*, 1/363, al-Tirmidhi in his *Sunan*, 2, 379, al-Dārimī in his *Sunan*, 1/29, al-Bayhaqī in *al-Kubrā*, 3/196, Ibn Abī Shaybah in his *Musannaf*, 3/319, al-Ṭabarānī in *al-Awsat*,

1/90, and was mentioned by al-Haythamī in *Majmaʿ al-Zawāʾid*, 2/182, who followed up by commenting that all the narrators are trustworthy.

4 Reported by Aḥmad in his *Musnad*, 4/340, al-Bukhārī in his *Saḥīḥ*, 1/275, Abū Dawūd in his *Sunan*, 1/204, al-Nisāʾī in his *Sunan*, 1/222/ Mālik in *al-Muwwaṭṭaʾ*, 1/211, and al-Bayhaqī in *al-Kubrā*, 2/95.

5 Reported by al-Bukhārī in his *Saḥīḥ*, 1/366, and 3/1371.

6 *Qawāʿid al-Aḥkām fī Maṣāliḥ al-Anām*, by ʿIzz al-Dīn ibn ʿAbd al-Salām, 2/204.

7 *Fatḥ al-Bārī*, by Ibn Ḥajar, 2/394.

8 *Jāmiʿ al-ʿUlūm wa al-Ḥikam*, p. 223.

9 Reported by Aḥmad in *al-Musnad*, 3/310, and Muslim in his *Saḥīḥ*, 2/592.

10 Reported by al-Bayhaqī with his chain of transmission in *Manāqib al-Shāfiʿī*, and was also reported by Abū al-Nuʿaym in *al-Ḥilyah*, 9/113.

11 *Iḥyāʾ ʿUlūm al-Dīn*, by Abū Ḥāmid al-Ghazālī, 2/248.

12 *Tahdhīb al-Asmāʾ wa al-Lughāt*, by al-Nawwawī, 1/22. Munīriyyah print.

13 *Al-Adhkār* by al-Nawwawī, p. 21.

14 *Al-Nihāyah* by Ibn al-Athīr, 1/180. The Maṭbaʿ al-Khayriyyah print, Egypt.

15 *Lisān al-ʿArab*, by Ibn Manẓūr, 8/6.

16 *Qawāʿid al-Aḥkām*, by ʿIzz al-Dīn ibn ʿAbd al-Salām, 2/205.

17 Reported by al-Bukhārī in his *Saḥīḥ*, 2/707.

18 Reported by al-Bukhārī in his *Saḥīḥ*, 2/630, and Muslim in his *Saḥīḥ*, 2/917.

19 Reported by Muslim in his *Saḥīḥ*, 25/705.

# The Sixth Issue:

## Prohibiting *tawassul* through the Prophet Muhammad ﷺ

One of the positions that extremists have taken is to prohibit *tawassul* through the Prophet ﷺ, meaning using the Prophet ﷺ as an intermediary when supplicating to God. They accuse anyone who does this of *shirk* (associating partners with God) and going outside the fold of Islam, despite the fact that the four schools are in agreement that using the Prophet ﷺ as in intermediary is not only permissible but recommended. There is no difference between doing this during the life of the Prophet ﷺ and between doing it after his death. It was only Ibn Taymiyyah who differentiated between *tawassul* through the Prophet ﷺ during his life and after his passing and his departure from the consensus is insignificant. We therefore call the Muslim community to the adherence of what its prominent scholars have agreed upon.

What follows is proofs for the permissibility of *tawassul* from the Qurʾān, the Sunnah and what has been transmitted in the reliable books of the schools of law:

## Evidence From the Noble Qur'ān:

**1.** God says, ***O you who believe, fear God and seek the means* (wasīlah) *to reaching Him.***[1] This verse commands the believers to draw close to God through various means, and *tawassul* to God through the Prophet ﷺ in supplication is one of those means, as will be confirmed in detail when presenting the evidence from the Sunnah. Nothing exists which specifies one means over another so the command is general, inclusive of all means that are pleasing to God. Furthermore, supplication is a form of worship, and is accepted as long as it does not involve the severing of kinship relations or sin or that it comprises of words that may be at odds with the foundations of belief and Islamic principles.

**2.** God says, ***Those they call upon are themselves seeking the means to come to their Lord, which of them shall be nearer, and they hope for His mercy and fear His punishment. Indeed, the punishment of your Lord is ever feared.*** [2] Here God praises those believers who responded to Him and drew close to him through their supplication using an intermediary. We shall discuss how a Muslim does this according to the Sunnah.

**3.** God says, ***Had they, when they wronged themselves, come to you and pleaded to God for forgiveness, and the Messenger had pleaded for forgiveness for them,***

***they would have surely found God all-clement, all-merciful.***[3] This verse is not subject to any textual or rational restrictions. Thus, there is nothing that confines its meaning to the worldly life of the Prophet ﷺ and it is thus applicable until the Day of Judgement. For consideration is always given, in regards to the Qur'ān, to the general meaning and not to the specific circumstance of its revelation. If someone claims that this verse is specific to the Prophet's life or that it is specific to him, then he must produce evidence to support this claim. The fact that it is unrestricted is the default and does not require evidence, whereas to restrict it to particular circumstances is what requires evidence. This is what the scholars of exegesis understood, even those of them that would adhere strictly to narrations like Ibn Kathīr. For he stated after mentioning the aforementioned verse, "…and a group have mentioned, among them Sheikh Abu al-Naṣr al-Sabbāgh in his book *al-Shāmil*, this famous story, on the authority of al-ʿUtbi who said, 'I was sitting in the *Rawḍah* of the Prophet ﷺ when a bedouin approached. He said, 'peace be upon you O Messenger of God. I have heard God say: ***Had they, when they wronged themselves, come to you and pleaded to God for forgiveness, and the Messenger had pleaded for forgiveness for them, they would have surely found God all-clement, all-merciful,*** and I have indeed come to you seeking forgiveness for my sins and asking you

to intercede for me unto my Lord.' He (the bedouin) then began to recite:

*O you, greatest of those whose bones have been buried beneath the ground*
*Due to whose goodness the hills and the plains all became pleasant*
*My soul is a ransom for the grave in which you rest*
*Within it rests virtue, benevolence and generosity.*

The Bedouin then departed. At this point sleep overcame me and I dreamt and saw the Prophet ﷺ in my dream. He said to me, "ᶜUtbi, go to that Bedouin and grant him glad tidings that God has forgiven him.'"[4] This story is also narrated by al-Bayhaqī.[5]

Most jurists have inferred from this verse the recommendation of visiting the Prophet's grave and furthermore they recommended the recital of the verse during the visitation of his blessed *rawḍah*. The Hanafis said it is recommended to recite the verse at his blessed grave, as is mentioned in *al-Fatawā al-Hindiyyah* in the section on the etiquettes of visiting the grave of the Prophet ﷺ, "... he then returns to stand at the head of the Prophet ﷺ and says, 'O God, verily You said, and what You said is the truth, Had they, when they wronged themselves, come to you.."[6]

The Maliki scholar Ibn al-Hajj al-ᶜAbdari said, "*Tawassul* through the Prophet ﷺ is a means of reducing the burdens of sins and wrongdoings, for the blessings of his intercession and its magnitude

in the sight of his Lord no sin may parallel, for it is greater than them all. Thus, let he who visits him rejoice, and let he has not visited him plead with God through the intercession of His Prophet ﷺ. O God, do not deprive us of his intercession due to the greatness of his sanctity in Your sight. Whoever does not believe in this has deprived himself. Did he not hear the saying of God, ***Had they, when they wronged themselves, come to you and pleaded to God for forgiveness, and the Messenger had pleaded for forgiveness for them, they would have surely found God all-clement, all-merciful?*** Whoever stands before him and performs *tawassul* through him finds God all-clement, all-merciful. Such is the case due to the fact that it is inconceivable that God would break His promise, for He promised forgiveness to whoever comes to Him, stands before Him, beseeches Him and asks forgiveness from his Lord. No one can question or doubt this except for a denier of God's religion, someone who opposes God and His Messenger. We seek refuge in God from being deprived of such goodness."[7]

The Imam of the Shāfiʿīs, al-Nawawī said while clarifying the etiquettes of visiting the Prophet ﷺ, "...then he returns back to his original position facing the head of the Messenger of God ﷺ and performs *tawassul* through him for his own sake and seeks for the Prophet ﷺ to intercede on his behalf with his Lord. One of the best things he may say is that which was narrated by al-Māwardī and Qadi Abū al-Tayyib and the rest of our Shāfiʿī companions on the authority of al-ʿUtbi, who they deemed truthful, who said: 'I was sitting by the grave of the Prophet ﷺ when a bedouin approached. He said, 'peace be upon you, O Messenger of God. I have heard God say, ***Had they, when they wronged themselves,***

***come to you and pleaded to God for forgiveness, and the Messenger had pleaded for forgiveness for them, they would have surely found God all-clement, all-merciful,*** and I have indeed come to you seeking forgiveness for my sins and asking you to intercede on my behalf with my Lord....'"[8] He then mentioned the narration related by Ibn Kathīr.

Among the Hanbalis, Ibn Qudamah advises addressing the Prophet ﷺ with this verse and asking him to seek forgiveness on one's behalf. After mentioning giving greetings to him, bestowing prayers upon him and supplicating for him he recommends saying, "O God, indeed You said, and what You say is the truth, ***Had they, when they wronged themselves, come to you and pleaded to God for forgiveness, and the Messenger had pleaded for forgiveness for them, they would have surely found God all-clement, all-merciful,*** and I have come seeking forgiveness for my sins, asking that you may intercede for me with my Lord. So I implore You my Lord that You guarantee me forgiveness just as You guaranteed it to whoever came to him during his life. O Lord, make him of the first of those that intercede, the most successful of those that ask and the most noble of the first and the last, through Your mercy, O Most Merciful." He then supplicates for his parents, relatives and the rest of the Muslims.[9]

The erudite Hanbali scholar, al-Rahībānī, said it is recommended to recite the verse at the blessed grave, "O God, indeed You did say, and what You say is the truth, ***Had they, when they wronged themselves, come to you and pleaded to God for forgiveness, and the Messenger had pleaded for forgiveness for them, they would have surely found God all-clement, all-merciful,*** and I have come

seeking forgiveness for my sins, asking that You may intercede for me with my Lord. So I implore You my Lord, that You guarantee me forgiveness, just as you guaranteed it to those who came to him during his life. O Lord, make him of the first of those that intercede, the most successful of those that ask and the most noble of the first and the last, through Your mercy, O Most Merciful. He then supplicates for his parents, relatives and the rest of the Muslims."[10]

## Evidence From the Sunnah

One of the most famous proofs for *tawassul* is 'the Hadith of the Blind Man'. ʿUthmān ibn Hunayf narrates that a blind man came to the Prophet ﷺ and said, "Supplicate to God that He may cure me," The Prophet ﷺ replied, "If you wish I will supplicate. Or if you wish, you may be patient, and that is better for you." "Supplicate to Him," the man replied. The Prophet ﷺ then instructed him to perform ablution in an excellent manner and then make this supplication, "O God, I beseech you and turn to You through your Prophet Muhammad ﷺ, the Prophet of Mercy. O Muhammad, I turn to my Lord through you concerning this need of mine so that it may be fulfilled. O God, accept him as an intercessor for me."[11] This hadith is evidence of the recommendation of using this expression of invocation, which the Prophet ﷺ himself taught to one of his Companions. Additionally, God revealed one of the miracles of His Prophet ﷺ by answering the supplication of the blind man in the very same gathering. So since the Messenger of God ﷺ taught one of his

Companions the wording for the supplication, and it is transmitted to us authentically, then this indicates the recommendation of using it at all times until God inherits the world and all that is upon it. There is nothing that specifies this supplication to that particular Companion alone, nor confines it to the Prophet's life, for the default in all rulings and legislation is that they are absolute and general, unless the aforementioned is established.

A further proof is the story behind the previous hadith which was the reason why ᶜUthmān ibn Hunayf narrated it. It is that a man kept coming to ᶜUthmān ibn ᶜAffān due to a need he had. ᶜUthmān, however, never paid attention to him or his need. So he came across ᶜUthmān ibn Hunayf and complained to him about this, to which ᶜUthmān ibn Hunayf replied, "go to the wash area and perform ablution, then go to the mosque and perform two cycles of prayer, and then say, 'O God, I beseech you and turn to You through your Prophet Muhammad ﷺ, the Prophet of Mercy. O Muhammad, I turn to my Lord through you concerning this need of mine so that it may be fulfilled' and then mention your need.[12] Then come to me in the morning that I may go with you." So the man left and did what he was told to do. He then headed to the door of ᶜUthmān ibn ᶜAffān, whereupon the doorman took him by the hand and led him to directly to ᶜUthmān ibn ᶜAffān and seated him upon the carpet. He asked him, "What is your need?" He mentioned his need which ᶜUthmān ibn ᶜAffān then fulfilled. He then said to him: "I only remembered your need at this moment", and continued: "whatever need you may have then come to us." The man then left and met ᶜUthmān ibn Hunayf. He said to him, "May God reward you, he was not going to look into my need or give me any attention until

you spoke to him about me." "By God", he replied, "I did not speak to him, but I once witnessed the Messenger of God ﷺ when a blind man came to him…"[13] and then went on to mention the rest of the hadith. This account clearly indicates what the aforementioned hadith indicated, closing the door upon those who try to claim that the hadith is specific to the life of the Prophet ﷺ.

Another proof is the supplication that is to be made by a person on their way to the mosque for prayer. Abu Saʿīd al-Khudrī narrates that the Prophet ﷺ said, "Whoever says when departing for prayer, 'O God, I ask you by the right of those who ask of You, and by the right of my walking, for I do not leave in a state of pride or arrogance, nor out of ostentation or for the sake of reputation. I leave out of fear of Your punishment, hoping for Your pleasure. I ask You to protect me from the Fire and to forgive my sins, for truly none can forgive sins except You,' then God appoints for him seventy thousand angels who seek forgiveness for him, and He turns His countenance towards him until he finishes his prayer."[14] This is an authentic hadith, authenticated by the likes of Ḥāfidth Ibn Ḥajar al-ʿAsqalānī,[15] Ḥāfidth al-ʿIrāqī,[16] Abū al-Ḥassan al-Maqdasī[17] (sheikh of al-Mundhirī), Ḥāfidth al-Dimyāṭī[18] and Ḥāfidth al-Baghawī.[19] The hadith is evidence of the permissibility of making *tawassul* to God through righteous acts, which in this case is going to the mosque and also through the station of those asking God.

Further evidence can be found in the story of how rain was sought through the Prophet ﷺ at his grave during the time of ʿUmar ibn al-Khattāb. Mālik al-Dār, Umar's treasurer, narrates, 'People were afflicted by drought during the time of 'Umar b. al-Khattab so a man came to the grave of the Prophet ﷺ and said, 'O Messenger

of Allah! Seek rain for your nation or else they will perish.' So the Messenger of Allah ﷺ came to him in his dream and said, 'Go to 'Umar, give him greetings of peace and inform him that they will be granted rain and say to him, 'Be astute, be astute.' The man then informed ᶜUmar of the event to which he said, "O Lord, I will not fail except in what I am incapable of."[20] This is an authentic hadith, authenticated by Ḥāfiz Ibn Ḥajar al-ᶜAsqalānī when he said, "Ibn Abī Shaybah reported with an authentic chain of transmission from the narration of Abī Ṣāliḥ al-Sammān on the authority of Mālik al-Dār who said, "People were afflicted by drought during the time of 'Umar b. al-Khattab so a man came to the grave of the Prophet ﷺ and said, 'O Messenger of Allah! Seek rain for your nation or else they will perish.' Then someone came to the man in his dream and said to him, 'Go to Umar…' likewise, Sayf mentioned in *al-Futūh* that the person who had the dream was Bilāl ibn al-Hārith al-Muzanī, one of the Companions.[21] Ibn Kathīr also mentioned the narration and affirmed its authenticity.[22] Major scholars of hadith have all deemed it authentic so it thus suitable to serve as evidence for the permissibility of asking from the Prophet ﷺ that He may request for rain, as well as the permissibility of supplication after his blessed passing.

A final proof is the exchange between Abū Jaᶜfar al-Manṣūr the second Abbasid Caliph and Imam Mālik. Al-Mansur said to Imam Mālik, "O Abā ᶜAbd Allah, do I face the Messenger of God ﷺ and supplicate or do I face the qibla?" Mālik replied, "And why would you turn your face away from him when he is your *wasīlah* (lit. means) and the *wasīlah* of your father Adam before God upon the Day of Judgment? Rather face him and seek his intercession

so that God will use him as an intercessor."[23] This narration also includes an indication of Imam Mālik's consideration of the hadith concerning the *tawassul* of Adam, and that he deems it good to face the grave of the Prophet ﷺ and to seek his intercession.

Due to such clear authentic evidence from the Book of God and the Sunnah of our Prophet ﷺ, the scholars of the Muslim community from the four schools of jurisprudence and others unanimously agreed upon the permissibility and recommendation of performing *tawassul* through the Prophet ﷺ, during his life and after his passing. They also agreed that this was not at all forbidden, which is the position we adopt, and that it is one of the recommended formulas for supplicating to God. We pay no attention to those who deviated from this consensus like Ibn Taymiyyah and those who repeat his words after him.

Indeed God is the Most High and All Knowing.

**The Sixth Issue Notes**

**1** Qur'ān 5:35

**2** Qur'ān 17:57

**3** Qur'ān 4:64

**4** *Tafsīr* ibn Kathīr, 1/521.

**5** Shuʿab al-'Īmān, 3/496.

**6** *Al-Fatawā al-Hindiyyah*, 1/266.

**7** *Al-Madkhal* by Ibn al-Ḥāj, 1/260.

**8** *Al-Majmūʿ* by al-Imām al-Nawwawī, 8/256.

**9** *Al-Mughnī* by Ibn Qudāmah, 3/298.

**10** *Maṭālib 'Ūlī al-Nahy*, by al-Rahībānī, 2/441.

**11** Reported by Aḥmad in *al-Musnad*, 4/138, al-Tirmidhī in his *Sunan*, 5/569, commenting that this hadith was '*hasan Saḥīḥ*', al-Nisā'ī in his *Sunan*, 6/169, and in his *ʿAmal al-Yawm wa al-Laylah*, 1/417, Ibn Mājah in his *Sunan*, 1/441, al-Ḥākim in *al-Mustadrak* in two places: 1/458, 1/707, and al-Ṭabarānī in *al-Ṣaghīr*, 1/306 and *al-Awsat*, 2/105.

**12** This was authenticated by al-Ḥākim, and al-Tirmidhī, and among those who are notorious for possessing an extreme methodology also authenticated it like Shaykh al-Albānī (his comments upon Saḥīḥ Ibn Khuzaymah, 1219, he remarked that it was authentic), thus there is no one who opposes the chain or content of the hadith.

**13** This was reported by al-Ṭabarānī in *al-Ṣaghīr* 1/306, al-Bayhaqī in *Dalā'il al-Nubuwwah*, al-Mundhirī in *al-Targhīb wa al-Tarhīb*, 1/273. It was mentioned by al-Haythamī in *Majmaʿ al-Zawā'id*, 2/279, and was also mentioned by al-Mubarakafūrī in *Tuḥfat al-Aḥwadhī*, 10/24. The erudite scholar, the ḥāfith al-Sayyid ʿAbd Allah ibn al-Ṣiddīq al-Ghumārī said: 'this story was narrated by al-Bayhaqī in *Dalā'il al-Nubuwwah* through the narration of Yaʿqūb ibn Sufyān, informed us Aḥmad ibn Shabīb ibn Saʿīd, informed us my father on the authority of Rūḥ ibn al-Qāsim, on the authority of Abū Jaʿfar al-Khaṭmī, on the authority of Abū 'Umāmah ibn Sahl ibn Ḥanīf, from his uncle ʿUthmān ibn Ḥanīf that a man would frequent ʿUthmān ibn ʿAffān…' and went on to mention the story in its totality. He then said: and Yaʿqūb ibn Sufyān is al-Nasawī, the Ḥāfidth, imam and trustworthy one. In fact he surpasses even being trustworthy, thus this chain of transmission is extremely authentic. Therefore this story is very much authentic, with both the hāfith al-Mundhirī agreeing to it in *al-Targhīb wa al-Tarhīb*, 3/606, and the ḥāfith al-Haythamī in *Majmaʿ al-Zawā'id*, 3/379. (*ʾIrghām al-Mubtadiʿ al-Ghabiyy* by the ʿAllāmah al-Sayyid ʿAbd Allah ibn al-Ṣiddīq al-Ghumārī, p. 6).

**14** Reported by Ahmad in his *Musnad*, 3/21, Ibn Mājah in his *Sunnah*, 1/257, Ibn Ḥuzaymah in his *Saḥīḥ*, 17/18, al-Tabarānī in his *Muʿjam*, 2/990, al-Mundhirī in *al-Targhīb wa al-Tarhīb*, 1/135, Ibn al-Sunni in *ʿAmal al-Yawm wa al-Laylah*, p.3, al-Baghawī in *Misbāh al-Zujājah*, p. 262, al-Bayhaqī in *al-Daʿwāt al-Kabīr*, p. 47, Ibn Abī Shaybah in *al-Muṣṣanaf*, 10/211-212, and Abū Nuʿaym al-Faḍl ibn Dakīn, transmitted by Ibn Ḥajar in *ʾAmālī al-ʾAḍhkār*, 1/273.

**15** *Amālī al-Adhkār*, 1/273.

**16** *Takhrīj Aḥādīth al-Iḥyā'*, 1/291.

**17** *Al-Targhīb wa al-Tarhīb*, 3/273.

**18** *Al-Muttajir al-Rābiḥ fī Thawāb al-ʿAmal al-Ṣāliḥ*, p. 471 and 472.

**19** *Miṣbāḥ al-Zujājah*, 1/99.

**20** Reported by Ibn Abī Shaybah in his *Muṣannaf*, 6/356, and Ibn ʿAbd al-Barr in *al-ʾIstīʿāb*, 3/1149.

**21** *Fatḥ al-Bārī*, by Ibn Ḥajar, 2/495-496.

**22** *Al-Bidāyah wa al-Nihāyah*, by Ibn Kathīr, 7/90.

**23** This story has been narrated by Abū al-Ḥassan ʿAlī ibn Fihr in his book *Faḍā'il Mālik* with a fair chain. It was also reported by Qāḍī ʿIyāḍ in *al-Shifā* via him on the authority of various sheikhs from among his trustworthy teachers. Likewise, it was mentioned by al-Subkī in *Shifā al-Siqām*, al-Samahūdī in *Wafā' al-Wifā'*, and al-Qasṭalānī in *al-Mawāhib al-Ladunniyyah*. Ibn Ḥajar mentioned in *al-Jawar al-Munadtham*: it has been reported with an authentic chain of transmission. Likewise, the erudite scholar al-Zarqānī in his commentary upon al-Mawāhib said: indeed Ibn Fahd mentioned this with a good chain, and al-Qāḍī ʿIyāḍ mentioned it with an authentic chain.

# The Seventh Issue:
## Prohibiting prayer in mosques that contain graves

The adherents of this extreme incoherent methodology prohibit prayer in a mosque in which the grave of a pious person is located and claim that it is an obligation to destroy either the grave or the mosque. By adopting such a position they are in violation of the scholarly consensus. To pray in a mosque which contains a grave of one of the Prophets or the pious is sound and legitimate and may even be recommended. Evidence for such a ruling is found in the noble Qur'ān, the pure Prophetic Sunnah, the actions of the Companions and the practical consensus of the Muslim community over the centuries.

In the Noble Qur'ān we have God's saying, ***(Some) said, "Construct a building over them: their Lord knows best about them." Those who prevailed over their affair said, "Let us surely build a place of worship over them."*** [1] This verse refers to the Companions of the Cave, when people came across them. Some of them said: ***"Construct a building over them"***, whereas others said, ***"Let us surely build a place of worship over them."*** The context indicates that the first statement was that of the polytheists, whereas the second was

that of the monotheists. The verse presents both statements without any censure or rebuke, for were either of these two statements to entail any falsehood then it would have been fitting that this should be indicated. However, the affirmation of both statements signifies the Sacred Law's acceptance of them both. Furthermore, the context shows that the statement of the monotheists is praiseworthy. This is proved when compared with the statement of the polytheists which is surrounded by scepticism, whereas the monotheists statement is definitive, ***"Let us surely build a place of worship over them"*** which stems from their belief. What they were requesting was not just a building but a place of worship, indicating that they were people who knew God and were familiar with worship and prayer.

Al-Rāzī said in his exegesis of this part of the verse, "we shall worship God therein, and preserve the remains of the people of the cave by means of this place of worship."[2] Al-Shawkānī said, "the mention of 'building a place of worship' gives the feeling that the ones whose opinion prevailed in the end were Muslims. It has also been said that they were the family of the rulers or the monarchs of the aforementioned people, for they are the ones who 'prevail over' the affairs of all others, but the first opinion is more fitting."[3]

As for evidence from the Sunnah, one piece of evidence is the narration of Abū Basīr which was reported by ᶜAbd al-Razzāq: "Abū Basīr escaped from the polytheists after the Treaty of Hudaybiyyah and went to Sayf al-Bahr. Abu Jandal ibn Suhayl ibn 'Amr also escaped so he joined Abū Basīr. Many other Muslims joined them until they numbered three hundred. Abū Basīr would lead them in prayer. He used to say, "God is the Lofty, the Greatest. Whoever assists God is assisted by God." When Abu Jandal joined

Abū Basīr's ranks, he started leading them in prayer. No convoy belonging to Quraysh would pass by them, save that they seized it, killing its members. As a result, Quraysh sent a message to the Prophet ﷺ beseeching him for the sake of God and family ties that he send a message to them telling them that whoever came to him from among them would be given amnesty. The Prophet ﷺ sent a message to Abu Jandal and Abu Basir telling them to come to him and telling the Muslims that were with them to return to their homes and families. The Prophet's letter reached Abū Jandal whilst Abū Basīr was on his deathbed. Abū Basīr died reading it whilst it was in his hand. Henceforth Abū Jandal buried him where he died, prayed over him and then built a mosque over his grave."[4]

As for the actions of the Companions, this is clear from their position regarding the burial of the Prophet ﷺ and their disagreement over the issue, as is narrated by Imam Mālik who said, "Some people said, 'He should be buried at the pulpit', and others said 'He should be buried in Baqi` Cemetery.' Then Abu Bakr al-Sidīq said: 'I heard the Messenger of God ﷺ say, 'No prophet was ever buried except in the place in which he died'. So they buried him there."[5] The point of inference here is that the Companions of the Messenger of God ﷺ even suggested that he be buried at the pulpit which is undoubtedly within the mosque, without anyone rejecting such a suggestion. Abū Bakr's opposition to the idea was not because of its impermissibility, but rather in order that the command of the Messenger of God ﷺ may be implemented - that he be buried in the very place where his noble soul was taken. Likewise, after the Companions agreed to bury the Prophet ﷺ in ʿĀʾishah's room, we find that this room was adjoined to the mosque

in which the Muslims prayed. Therefore the Muslims were praying in a mosque which was connected to a room that contained the grave of the Prophet ﷺ. Then when Abū Bakr died, he was buried next to the Prophet ﷺ, so the mosque now became adjoined to a room that contained two graves, and when ᶜUmar died he was also buried next to them both, meaning that the mosque had become adjoined to a room which contained three graves. The Muslims continued to pray in the mosque whilst in this condition without the condemnation of anyone, which is therefore to be considered from them as a practical consensus on the permissibility of praying in a mosque that is attached to a room which contains the grave of the Prophet ﷺ and his two Companions.

There are those that oppose this position and say, "This circumstance is specific to the Prophet ﷺ." The response to this is that if we wish to say that a particular ruling is specific to the Prophet ﷺ we need evidence to prove this, and the default remains that a ruling is general unless there is evidence proving that it is specific, and there is no evidence for this. If, for the sake of argument, we were to accept that it is specific to the Prophet ﷺ then how do we explain the fact that both Abu Bakr and then Umar were buried in the same room adjoining the mosque? Does what is specific to the Prophet ﷺ include them too? Furthermore, the Companions prayed in the mosque to which this room was adjoined whilst ᶜĀʾishah would actually live and pray all her prescribed and recommended prayers in it. Is this not considered an act of a Companion and a practical consensus from them?

When ᶜUmar ibn ᶜAbd al-ᶜAzīz was governor of al-Madīnah the three graves were incorporated into the mosque, with the

approval of all seven of the renowned 'seven jurists' of Madīnah, with the exception of Saʾīd ibn al-Musayyib. However, Saʿīd ibn al-Musayyib's opposition was not because he deemed it forbidden to pray in a mosque which contained a grave, but rather because he wanted the rooms of the Prophet ﷺ to remain as they were, so that the Muslims could see how their Prophet ﷺ used to live and thus be inspired to live ascetic lives. It was according to this practice that the Muslims would thereafter build their mosques, without any condemnation to be found regarding connecting a mosque with the grave of one of the Prophet's noble household or one of the pious. This was a consensus of the orthodox Muslims among the *salaf* and the *khalaf*, both in the east and the west.

Therefore, it must be asked, what has taken place? Why do those who claim adherence to orthodoxy prohibit praying in such mosques and say that it is an obligation to destroy either the mosques or the graves? The reason for this is a hadith that they found in the books of the Sunnah and used out of context to prohibit something which the Muslims had long before been content to practise. The hadith reads as follows: "May God curse the Jews and the Christians, for they took the graves of their Prophets as places of worship".[6] In Muslim's narration there is the addition: "the graves of their Prophets and their righteous men."[7]

The scholars, however, did not understand "taking a grave as a place of worship" to refer to building a mosque adjacent to a grave. Rather they understood the "taking a grave as a place of worship" to mean that the grave itself was used as a place of prostration - that someone would prostrate upon in worship of its inhabitant. This is was the case with the Jews and the Christians, as God says: ***They***

***have taken their rabbis and their monks - as well as Christ, son of Mary - for their lords beside God, although they had been bidden to worship none but the One God, save whom there is no deity: the One who is utterly remote, in His limitless glory, from anything to which they may ascribe a share in His divinity!***[8]

Another possible meaning is that they made the graves themselves a *qiblah* (something they faced in prayer) instead of the legitimate qiblah. Some of the People of the Book direct themselves to the graves of their rabbis and monks when in ritual prayer.

This was the how the scholars understood the hadith, as we see in the well-known commentaries. For example, we find Shaykh al-Sindī remarking that, "What is meant by this is to warn the Muslim community against performing at the Prophet's grave the actions that the Jews and the Christians had performed at the grave of their Prophets. For the Jews and Christians had adopted the gravesites as places of ritual worship; either by prostrating directly towards them out of reverence, by making them their *qiblah* which they would pray towards, or other devotions. It has been said that merely adopting a place of worship next to a righteous person in order to receive blessings is not prohibited".[9]

The erudite scholar Ibn Ḥajar al-ᶜAsqalānī and other commentators of the Sunnah, transmitted the statement of al-Bayḍāwī, "When the Jews would prostrate to the graves of their Prophets out of veneration for them, and make these graves their *qiblah* which they would pray towards and the like, thereby taking them as idols, God cursed them, and prohibited Muslims from doing the same. Someone who adopts a place of worship beside (the grave of) a righteous person or prays in the graveyard of

such a person, intending by this attaining a spiritual connection or experiencing some of the effects or traces of his worship, not out of direct veneration or in order to pray towards him within the grave has performed no wrong. Do you not see that the burial place of ʾIsmāʿīl is in al-Masjid al-Ḥarām at *al-Hatīm* (the crescent shaped area immediately adjacent to the Ka'bah)?[10] This sacred mosque is the greatest place for a human being to seek to pray in. As for the prohibition of formal prayer in a graveyard, this is specific to those graveyards in which graves have recently been dug up and thus may contain impurity."[11]

In his commentary on *al-Jāmiʿ* of al-Tirmidhī, al-Mubarakpuri quotes the statement of al-Turabashtī, "It has two possible interpretations: the first is that they would prostrate to the graves of their Prophets out of veneration for them, intending by this action a form of worship. The second is that they would seek to pray in the places their Prophets were buried and to face towards them when in pray and acts of worship, believing that this was more beloved to God due to it comprising of both acts."[12]

Extremists should thus recognise what is in fact prohibited and what is not. They must not claim that the aforementioned hadith refers to the way Muslims built their mosques. This is one of the traits of the Kharijites, as Ibn ʿUmar said, "They would take verses which were revealed concerning the polytheists and apply them to Muslims." In reality there is no Christian church or Jewish synagogue built in the same way as mosques which contain graves.

The ruling of praying in a mosque which contains a grave is as follows:

- If the grave is in an area which is separate from the mosque and people do not pray in that area, then prayer in the mosque is completely valid. It is neither prohibited nor disliked.
- If the grave is in the mosque itself, then prayer is invalid and prohibited according to the school of Aḥmad ibn Ḥanbal but it is valid and sound according to the other three schools. They said no more than it is disliked that the grave be in front of the person praying, because it would seem like he was praying to the person in the grave.

Indeed God is the Most High and All Knowing.

**The Seventh Issue Notes**

**1** Qur'ān 18:21

**2** *Tafsīr al-Rāzī*, 11/106. Dār al-Fikr, 1995/1415.

**3** *Fatḥ al-Qadīr*, 3/277. ʿĀlam al-Kitāb.

**4** Reported by Ibn ʿAbd al-Barr in *al-'Istīʿāb*, 4/1614, the author of *Rawḍ al-'Unuf* 4/59, Ibn Saʿd in *al-Ṭabaqāt al-Kubrā* 4/134, and the author of *al-Sīrah al-Ḥalabiyyah* 2/720. It was also reported by Musā Ibn ʿUqbah in *al-Maghāzī* and Ibn Isḥāq in *al-Sīrah*. The Maghāzī of *Musā Ibn ʿUqbah* is of the most authentic works of the *Sīrah*, for Imam Mālik would say in its regard: adhere to al-Maghāzī of that righteous man Musā Ibn ʿUqbah, for it is the most authentic work of its kind. Yaḥyā ibn Muʿīn would say: the book of Musā Ibn ʿUqbah on the authority of al-Zuhrī is from the most authentic of these books.

**5** *Al-Muwaṭṭa'*, 1/231.

**6** Agreed upon. Reported by al-Bukhārī in his *Saḥīḥ*, 1/446, and Muslim in his *Saḥīḥ*, 1/376.

**7** Reported by Muslim in his *Saḥīḥ*, 1/377.

**8** Qur'ān 9:31

**9** *Ḥāshiyat al-Sindī*, 2/41.

**10** The area between the black stone, the door and the Maqām.

**11** *Fatḥ al-Bārī* 1/524, *Sharḥ al-Zarqānī* 4/290, *Fayḍ al-Qadīr* 4/466.

**12** Tuḥfat al-Aḥwadhī by *Al-Mubārakapūri*, 2/226.

# The Eighth Issue:

## The belief that seeking blessings from the relics of the Prophet ﷺ and the pious is polytheism

One of the beliefs that the extremists hold is that to seek blessings (*tabarruk*) from the relics of the Prophet ﷺ and the pious is a form of polytheism and those that do so are to be deemed outside the fold of Islam. Their promotion of this belief splintered Muslim unity and led to tribulations the extent of which only God is fully aware of. We shall attempt in the following pages to define and discuss the true meaning of *tabarruk* and the extent of its permissibility.

Linguistically, the term *tabarruk* means to seek blessings. The word '*barakah*' means growth and increase. Al-Rāghib al-ʾAṣfahānī said: "*Baraka* is the establishment of divine grace in something". Ibn Manzur said: "*Barakah* is growth and increase, and tabrīk is the supplication for a person or something else to be granted barakah." It is said: '*barraktu ʿalayhi tabrīkan*', i.e. I said to him: 'May God bestow *barakah* upon you'. Whereas '*bāraka Allah ala shayʾ*' and '*baraka fīhi*' and '*alayhi*' means that Allah placed *baraka* in it. As for '*barīk*' food it is food blessed by God".[1] The Muslim believes that God is the sole source of blessings (*barakah*), and it is

He alone Who blesses things. There is no inherent blessing in any created thing. Rather blessings are only from God and He bestows them on whoever He wishes.

God, through His infinite wisdom, chose to bless certain times. He said: ***We sent it down on a blessed night. Surely We are ever warning.***[2]

He also chose to bless certain places. He said: ***And We caused the people who had been oppressed to inherit the eastern regions of the land and the western ones, which We had blessed.***[3] ***Exalted is He who took His Servant by night from al-Masjid al-Haram to al-Masjid al-Aqsa, whose surroundings We have blessed, to show him of Our signs. Indeed, He is the Hearing, the Seeing.***[4]

***We rescued him and Lut (and brought them) to the land which We have blessed for (all) peoples.***[5] God blessed al-Bayt al-Harām and He said about it: ***The first House (of worship) appointed for men was that at Bakkah: Full of blessing and of guidance for all kinds of beings.***[6]

Similarly God chose to bless certain people. He blessed the Prophets and their households: ***They said, "Are you amazed at the decree of Allah ? May the mercy of Allah and His blessings be upon you, people of the house. Indeed, He is Praiseworthy and Honourable."***[7]

He also blessed the followers of the Prophets, and those that followed them: ***It was said, "O Noah, disembark in security from Us and blessings upon you and upon nations [descending] from those with you."***[8] God affirmed that blessings accompany His Prophets wherever they go, ***And He has made me blessed wherever I am and has enjoined upon me prayer and zakah as long as I remain alive.***[9]

God blesses those believers that follow God's way: ***If only the people of the cities had believed and feared Allah, We would have opened upon them blessings from the heaven and the earth; but they denied [the messengers], and so We seized them on account of what they used to earn.***[10]

God describes His own speech as being blessed: ***This is a blessed Reminder that we have revealed: Will you then reject it?***[11]

He blessed the greetings of the believers: ***When you enter houses, give greetings of peace to each other - a greeting from God, blessed and good. Thus does God make clear to you His revelations that you may understand.***[12]

It is recommended for the believer to seek blessings from the places that God has blessed. It is also recommended for the believer to seek blessings from the Prophet ﷺ and his relics, for it is firmly established that the Companions did this in his presence. He did not rebuke them for doing this, but rather prayed for an increase in blessings for them. Al-Bukhārī narrates on the authority of al-Miswar and others, each one of them confirming the statement of the other: "When the Prophet ﷺ performed ablution the people would almost jostle over his leftover water."[13]

Al-Bukhārī also narrates the hadith of the Treaty of Hudaybiyyah which tells us about ᶜUrwah Ibn Masᶜūd's return from the Muslim camp to Quraysh: ᶜUrwah returned to his companions and said: "O people of mine! By God I have travelled as an envoy to kings: to Caesar, Chosroes and the Negus. I swear by God I have never seen a king revered by his companions the way the Companions of Muhammad revere Muhammad ﷺ. By God, he does not spit save that it falls in the hand of one of them so that he may rub his face

and skin with it. When he commands them to perform something they hasten to perform it, and when he performs ablution they almost fight with one another over the leftover water. When he speaks they lower their voices in his presence, and they do not stare at him out of veneration of him. He has definitely presented you with a reasonable offer, so accept it."[14]

It is also true that infant children would be brought to the Prophet ﷺ and he would ask God to bless them and perform *tahnik* (chewing on a date and rubbing the baby's palate with part of the chewed date).[15] ʾAsmā, the daughter of Abū Bakr, relates that she became pregnant with ʾAbd Allah ibn al-Zubayr in Mecca. Then she said, "I departed whilst on the verge of giving birth, and I arrived in Madīnah and stayed in Qubāʾ where I eventually gave birth. I then came to the Messenger of God ﷺ and placed the baby in his lap. He asked for a date which he chewed. Then he gently blowed some of his saliva into the baby's mouth so the first thing to enter his mouth was the saliva of the Messenger of God ﷺ. Then he rubbed some of the chewed date on his palate. He then supplicated for him and asked God to bless him. He was the first child to be born in Islam."[16]

Moreover, ʾAsmāʾ said to al-Ḥajjāj: "The Prophet ﷺ was once cupped and he passed the extracted blood to my son, (ᶜAbd Allah ibn al-Zubayr) and he drank it. Jibrīl came and informed the Prophet ﷺ of this, so he asked, 'What did you do?' ᶜAbd Allah ibn al Zubayr replied, 'I did not wish to pour away your blood.'The Prophet ﷺ said, 'The Fire will not touch you.' Then he rubbed his hand over ᶜAbd Allah's head and said, 'Woe to the people from you and woe to you from the people.'"[17]

Furthermore, ᶜUmayrah bint Masᶜūd narrates that when she and her sisters, who were five in number, came to the Prophet ﷺ to give their allegiance to him, they found him eating dried meat. He chewed some for them and then passed her a portion of it. In turn everyone received and chewed a piece. Due to this, their breath never again smelt unpleasant until the day they met God.[18]

The aforementioned relates to seeking blessings from the relics of the Prophet ﷺ during his life. As for seeking blessings from the relics of the pious, it has been reported that the Prophet ﷺ himself would seek blessings from the hands of his fellow Muslims. Ibn ᶜUmar reports that it was said to the Messenger of God ﷺ, "O Messenger of God, is it more beloved for you to perform ablution from a new sealed vessel or from the *matahir* (standard vessels used by the people)?" He replied, 'From the *matāhir*, for indeed the religion of God is the tolerant intrinsic faith.' Ibn ᶜUmar continued remarking about how the Prophet ﷺ would also send for the *matāhir* which would be brought to him with water which he would then drink from. Ibn ᶜUmar then explained saying, "The Prophet ﷺ would drink from this vessel seeking the blessings of the hands of the Muslims (that had touched the vessels)."[19]

In fact the primary proofs for this type of *tabarruk* are the aforementioned hadiths which mention seeking blessing from the relics of the Prophet ﷺ, since in principle blessings are not the sole preserve of the Prophet ﷺ, although there is no doubt that his station is immeasurably higher than anyone else. This was the understanding of the major commentators of Hadith like Imam al-Nawawi, Ibn Hajar and others.

In fact Imam al-Nawawi said regarding the hadith which mentions seeking rain through the blessings of the outer garment of the Prophet ﷺ: "In this hadith there is evidence which demonstrates that seeking blessings from the relics and garments of the righteous is recommended."[20] He also said: "Bilal went out with the used water of the Prophet's ablution. As a result, amongst the people were those that would take from it, and those that would that would sprinkle it upon others in order to receive blessings from his traces". This is clarified in another narration: 'I saw the people taking from the remnants of his ablution'. This is evidence for seeking blessings from the relics of the pious using what is left over of their ablution water, food, drink and clothing."[21]

Al-Nawawi says, commenting on a hadith which mentions the Prophet ﷺ performing *tahnik*: "This hadith contains several useful lessons: performing *tahnik* for a new born child, which is a Sunnah by consensus as was previously mentioned, and that it is performed by a pious person, male or female, and (the recommendation) to seek blessings from the remnants of the righteous, their saliva and everything from them."[22] He also said: "As for the rulings of this section, they include the recommendation of performing *tahnik* for the new born, seeking blessings from the people of righteousness and virtue and taking children to the people of virtue to seek blessings from them. This is the case whether the child has just been born or later."[23] He also said in the section concerning the Prophet's closeness to the people, how they would seek blessings from him and how humble he was towards them: "This includes seeking blessings from the relics of the pious, and clarifies what the Companions used to do in terms of seeking blessings from the Prophet's relics and

through him placing his blessed hand in their water vessels, seeking blessings from his noble hair and the reverence they gave his hair to the extent that nothing would fall from his head except that the hand of someone had already hastened to obtain it."[24]

Al-Bukhari narrates that ᶜUtbān ibn Malik asked the Prophet ﷺ to pray in his house in order for him to make the place in which the Prophet ﷺ prayed as his place of prayer. [25] Ibn Hajar comments: "This hadith shows that it is recommended to seek blessings from the places in which the Prophet ﷺ prayed in or the places where he stepped. We also take from this that if a pious person is invited in order that blessings may be sought from him then he should accept, if there is no risk of something forbidden taking place."[26]

Al-Bukhari also narrates on the authority of Sahl ibn Saᶜd who said: "A woman came to the Prophet ﷺ with a mantle." Upon this Sahl said to the people listening: "Do you know what a mantle is?" "A shawl" they replied. "A shawl with an inner lining" he said. She said: "O Messenger of God, may I give you this as clothing?" He accepted it out of need. He put it on and a man from among the Companions saw him wearing it and said: "O Messenger of God, how brilliant this is, would you give it to me?" The Prophet ﷺ agreed. When the Prophet ﷺ arose, his Companions censured the man and said: "It was not good of you since you saw the Prophet ﷺ was in need of it and yet you asked him for it, knowing that he never refuses a request for something." The man responded: "I hoped to receive its blessings since the Prophet ﷺ had worn it and perhaps I may be shrouded in it." He said this despite not knowing whether he would die before the Prophet ﷺ or after, and the noble Companions did not reproach him for saying this.

Ibn Hajar comments: "It shows that it is permissible for someone to like what he sees someone else wearing and the like, either to let them know of its stature, or to present a request to be given it, if the other person would accommodate this. It also includes the legitimacy of rebuke when there is clear violation of etiquette, even if the reprehensible act did not reach the level of prohibition. Likewise, it also includes the permissibility of seeking blessings from objects which belonged to the pious."[27]

When the Prophet's daughter died, as narrated by al-Bukhari, the Prophet ﷺ instructed the women to inform him when they had finished washing her. When they did so, he gave them his *izar* (a long cloth worn around the hips) and told them to wrap his daughter in it, with his *izar* directly touching her body. Ibn Hajar comments: "It has been said that the wisdom behind delaying giving them his *izar* until the washing was finished and not giving it to them from the start, was so that the garment had recently been on his noble body and that no time elapsed between it being transferred from his body to her body. This is clear proof for seeking blessings from the relics of the pious. It also shows the permissibility of shrouding a woman in a man's garment."[28]

He also said, commenting on the hadith of the man who was bitten by a snake: "This hadith demonstrates the permissibility of seeking blessings from a pious man and his body, especially his right hand".[29] He said commenting on another hadith: "This establishes the permissibility of using relics of the pious, and wearing their clothing in order to seek blessings and goodness from them."[30]

The hadith master, Imam Ibn Hibban, entitled a chapter in his authentic collection: 'what is recommended for the individual

regarding seeking blessings from the pious and their like'. He then mentioned the following hadith on the authority of Abu Musa, who said: 'I was in the presence of the Messenger of God ﷺ while he was residing at al-Jaʿrānah, between Mecca and al-Madīnah, and with him was Bilal. A Bedouin man approached the Messenger of God ﷺ and said: 'Muhammad, will you not fulfill me what you promised me?' 'Glad tidings to you,' Replied the Messenger of God ﷺ, The Bedouin replied: 'You have given me so many glad tidings!' The Messenger of God ﷺ then approached Abu Musa and Bilal as if he was angry and said: 'This person has rejected the glad tidings, so accept them!' 'We accept it O Messenger of God' they replied. The Messenger of God ﷺ then called for a bowl with water in it and said to them both: 'Drink from it and pour it upon your faces or your chests.' They took the vessel and did as they were instructed. Then, from behind a screen, Umm Salamah called out, 'Leave some for your mother in your vessel', so they left a portion for her."[31] All of this clearly indicates that the great Imams of Hadith extrapolated from the hadiths which mention seeking blessings from the relics of the Prophet ﷺ evidence for the permissibility of seeking blessings from the pious.

It has been reported that Imam Aḥmad ibn Ḥanbal would seek blessings from the garment of Yaḥyā ibn Yaḥyā. This was transmitted by Ibn Mufliḥ when he recalled that Al-Marwadhī said in his book *al-Waraʿ*: "I heard Abu ʿAbdullah (Aḥmad ibn Ḥanbal) saying: 'Yaḥyā ibn Yaḥyā bequeathed his garment to me so his son brought it to me and told me about this'. So I said: 'a pious man who obeyed God whilst wearing it. I shall seek blessings from it.'"[32]

As for the issue of seeking blessings from the Prophet ﷺ and his relics after his passing, the Muslims never made a differentiation between before and after his life. For it has been established that many of the Companions and the *Salaf* sought blessings from his relics after his passing. When death approached ᶜUmar ibn ᶜAbd al-ᶜAzīz he called for a hair of the Prophet ﷺ and some of his nails and said: "When I die take the hair and the nails and then place them in my shroud."[33]

Sahl narrates: "The Messenger of God ﷺ came on that day and sat with his Companions in the gathering place of Banī Sāᶜidah. He then said to Sahl: 'relieve us of our thirst.' He (Sahl) said: 'So I brought forth for them this vessel and had them drink from it.' Abu Ḥāzim revealed: 'Sahl then brought forth for us that very same vessel which we then drank from.' He continued: "ᶜUmar ibn ᶜAbd al¬ᶜAzīz then asked that this same vessel be given to him, so Sahl gave it to him."[34] Al-Nawawī said: "In this hadith there is evidence for the permissibility of seeking blessings from the relics of the Prophet ﷺ and that which he touched or wore or was connected to him. This is what the scholars of both the *Salaf* and the *Khalaf* have reached consensus upon regarding seeking blessings, whether through praying in the place in which the Prophet ﷺ used to pray in the noble *Rawdah*, entering the cave which he entered and other things. This also includes the Prophet ﷺ giving Abu Talha his hair so that he might distribute it to the people, his giving his lower garment in order for his daughter to be shrouded in it and his placing of the two branches upon the two graves. Likewise, the daughter of Milhān collected his blessed sweat and the Companions would wipe themselves with the remnants of his ablution water

and would rub their faces with his blessed saliva. The examples of this are numerous in the authentic hadith collections and are all clear and definitive."[35]

Asma bint Abū Bakr narrates that she brought forth a fine Kisrawan garment with silk trimming at the pocket, and silk trimmings in its inner edges. 'She said, "ᶜĀʾishah had this until she died, after which I took it. The Prophet ﷺ used to wear it, so we wash it (and give the water to) the sick with the hope that their illnesses are cured by means of it."[36]

Imam al-Dhahabī said: "When Thābit al-Bunānī saw Anas ibn Mālik, he would take his hand and kiss it and say: 'This is a hand that touched the hand of the Messenger of God ﷺ'. We say, having missed this opportunity: 'There is a venerated stone, which is like the right hand of God on earth and has been touched by the two lips of our Prophet ﷺ when he kissed it. If you were to miss hajj but then came across a group of those who had performed it, then seek out one of them and kiss his lips and say 'a kiss upon the lips which have touched the stone which was kissed by my beloved".[37]

Al-Dhahabī also narrates on the authority of Nāfi' who narrates that Ibn ᶜUmar said that he disliked people touching the grave of the Prophet ﷺ. I say: "He disliked this because he found it to be bad etiquette. However, Ahmad ibn Hanbal was asked about touching the Prophet's grave and kissing it, and he did not see any harm in it. This was reported by his son ᶜAbd Allah ibn Aḥmad."

Al-Dhahabī further explains that if it was said: "So why did the Companions not do this? Then we would say: 'Because they had witnessed him alive, appreciated him, kissed his hand, almost fought so as to attain some of the remnants of his ablution, divided

his hairs on the day of the Great Hajj and if he were to spit, then no saliva would fall save that there was a hand of someone to take it and wipe his face with it. Since we are unable to attain the great things they attained, we throw ourselves at his grave and venerate it, kiss it, touch it and press our bodies against it".[38]

Based on the Qur'ānic verses, hadiths and the statements of the most authoritative scholars of *Ahl al-Sunnah wa'l-Jamā'ah* that have been mentioned, it is now very clear that it is permissible to seek blessings from the relics of the Prophet ﷺ and his Family. There is no difference whether this is done during his life or after his death. Likewise, it is permissible to seek blessings from the relics of the pious and again there is no difference whether this is done during their lives or after their deaths.

Indeed God is the Most High and All Knowing.

**The Eighth Issue Notes**

**1** Lisān al-ʿArab, 10/395.

**2** Qur'ān 44:3

**3** Qur'ān 7:138

**4** Qur'ān 17:1

**5** Qur'ān 21:71

**6** Qur'ān 3:96

**7** Qur'ān 11:73

**8** Qur'ān 11:48

**9** Qur'ān 44:3 19:31

**10** Qur'ān 7:96

**11** Qur'ān 21:50

**12** Qur'ān 24:61

**13** Reported by al-Bukhārī in his *Saḥīḥ*, 1/81.

**14** Reported by al-Bukhārī in his *Saḥīḥ*, 1/148, and the wording is his, and reported by Muslim in his *Saḥīḥ*, 1/360.

**15** Reported by Muslim in his *Saḥīḥ*, 1/237.

**16** Reported by al-Bukhari in his *Sahih*, 3/1422, and the wording is his, and reported by Muslim in his *Saḥīḥ*, 3/1691. What is meant by 'the first child to be born in Islam' is the first child born to the Muhajirun after the Hijrah to Madinah.

**17** Reported by al-Ḥākim in *al-Mustadrak*, 3/638, al-Dāraquṭnī in his *Sunan*, 1/288, and the wording is his. Also mentioned by al-Suyūṭī in *al-Khaṣā'iṣ al-Kubrā*, 1/171, and Abū Nu'aym in *Ḥilyah al-Awliyā'*, 1/330.

**18** Reported by al-Ṭabarānī in *al-Kabīr*, 24/341, and Abū Nu'aym in *Ḥilyah al-Awliyā'*, 2/70.

**19** Reported by al-Ṭabarānī in *al-Awsat*, 2/305, and in *al-Kabīr*, 11/168, al-Bayhaqī in *Shu'ab al-'Īmān*, 6/309, and Abū Nu'aym in *Ḥilyah al-Awliyā'*, 8/203. Al-Albānī said in *al-Silsilat al-Ṣaḥīḥah*, 5/154: reported by al-Ṭabarānī in *al-Awsat*, p. 35, Abū Nu'aym in *al-Ḥilyah*, 8/203, on the authority of Ḥassān ibn 'Ibrāhīm al-Kirmānī on the authority of 'Abd al-'Azīz ibn Abī Rawwād on the authority of Nāfi' on the authority of Ibn 'Umar who said: 'I said: O Messenger of God, is it more beloved for you to perform ablution from brand new ablution vessels or from the *maṭāhir*? Rather from the *maṭāhir*, He replied. 'Indeed the religion of God is the tolerant intrinsic faith.' He said: as for his statement, and said: no one narrated it from 'Abd al-'Azīz save for Ḥassān. I say: he is differed over with the majority inclining to his reliability, and that which seems preponderant to me is that it is a mildly fair hadith, especially since al-Bukhārī has mentioned him in his *Saḥīḥ*, and al-Ḥāfidth said: trustworthy who commits errors. As for the hadith, al-Haythamī said (1/214): it is reported by al-Ṭabarānī in *al-Awsat* and all the narrators have been authenticated, 'Abd al-'Azīz ibn Abī Rawwād is trustworthy yet attributed to 'al-Irjā''. I say: he was cited by Muslim and his 'Irjā'' does not harm his hadith as has been determined in the hadith nomenclature.

**20** *Sharh Al-Nawawī 'ala Ṣaḥīḥ al-Muslim*, 14,44.

**21** *Ibid*, 14,44.

**22** *Ibid*, 14/124.

**23** *Ibid*, 14/194

**24** *Ibid*, 15/82.

**25** Reported by al-Bukhārī in his *Saḥīḥ*, 5/2245.

**26** *Fatḥ al-Bārī*, 1/522.

**27** *Ibid*, 3/144.

**28** *Ibid*, 3/129.

**29** *Ibid*, 3/198.

**30** *Ibid*, 10/330.

**31** *Saḥīḥ ibn Ḥibbān*, 2/317.

**32** *Al-Ādāb al-Shar'iyyah* by Ibn Mufliḥ, 2/235.

**33** *Al-Tabaqāt*, 5/406, the entry of Umar ibn Abd al-Azīz.

**34** Reported by Muslim in the book of beverages, no. 88.

**35** *Sharh al-Nawawī ʿala Saḥīḥ Muslim*, 13/178-179. Dār ʾIḥyāʾ al-Turāth al-ʿArabī edition.

**36** Reported by Muslim in his Saḥīḥ, 3/1641.

**37** *Siyar Aʿlām al-Nubalāʾ* 4/43.

**38** *Mu'jam al-Shuyūkh*, Al-Dhahabī, 1/73-74.

# The Ninth Issue:

## Prohibiting the celebration of the Prophet's birth

The adherents of this extreme *Salafist* methodology go against the vast majority of the Muslims who express their joy at the *mawlid*, the celebration of the Prophet's birth. They accuse them of performing a reprehensible and deviant innovation, despite themselves celebrating the anniversaries of some of their own scholars and imams. We shall attempt, in what is to follow, to elucidate the correct position which Muslims follow regarding the celebration of the Prophet's birth.

ᶜUmar Ibn al-Khattab narrates: "The Prophet ﷺ was asked about fasting on Monday, to which he responded: 'It was the day on which I was born, and the day on which I became a prophet (or on which I received revelation)".[1] The hadith shows that the Prophet ﷺ would thank his Lord for the blessing of his birth by fasting on Mondays. From the fourth century onwards our righteous predecessors regularly celebrated the blessed birth. They did this in many ways, such as food distribution, Qur'ānic recitation, invocations, and the recital of poetry and panegyrics, as many of the historians have mentioned. Among them are the likes of Ibn al-Jawzī, Ibn Kathīr, Ibn Daḥiyyah al-Andalusī, Ibn Ḥajar and Jalāl

al-Dīn al-Suyūṭī, may God bestow His mercy upon them. One of the evidences Ibn Ḥajar used to show the permissibility of celebrating the mawlid is the hadith narrated by al-Bukhārī and Muslim that the Prophet came to al-Madīnah and found the Jews fasting the day of Ashura. So he asked them about this and they replied: "This is the day on which God drowned Pharaoh and saved Moses so we fast it out of gratitude to God." Ibn Ḥajar continued: "what is taken from this is actively showing gratitude to God for what He has graced us with on a particular day by way of bestowing a blessing or preventing a calamity. This is to be repeated on the same day every year. Gratitude can be expressed through many forms of worship, like prostration, fasting, charity and recitation of the Qurʾān." And what blessing is greater than the birth of the Prophet of Mercy to all creation? Even if the Prophet ﷺ himself and his Companions did not celebrate his birth on 12th Rabīʿ Awwal every year, this does not mean that its celebration is a reprehensible innovation. For a reprehensible innovation is that which has no legitimate evidence for its praiseworthiness and this does not apply to the *Mawlid*.

Imam al-Shāfiʿī is reported by al-Bayhaqi as saying, "Innovated acts are of two types: the first is that which goes against the Book or the Sunnah or a report or the consensus. This is a misguided innovation. The second is any good innovation which does not go against any of the aforementioned, in which case it is not classified as a reprehensible innovation. Indeed ʿUmar ibn al-Khaṭṭāb said regarding the night vigil prayer in Ramaḍān: 'What a splendid innovation this is!', meaning that it is an innovation which did not previously exist, and its existence does not constitute a rejection of what preceded."

Al-Ṣuyūtī affirmed: "Celebrating the *Mawlid* does not involve anything that contradicts the Book, the Sunnah, a report or consensus. Hence, it is not reprehensible, as al-Shafiʿī indicated. It is a benevolent act which was not a custom in the early period. For indeed providing food which is void of illegal gain is an act of benevolence. Therefore it is a recommended innovation, as was expressed by the 'Sultan of the Scholars' al-ʿIzz ibn ʿAbd al-Salām. Imam Al-Ṣuyūtī also transmitted the following statement from the Imam of the Science of Qurʾānic Recitation, Imam al-Ḥāfidth Shams al-Dīn ibn al-Jazarī, from his book: *ʿUrf al-Ṭaʿrīf bi al-Mawlid al-Sharīf*,: "It has been authenticated that Abū Lahab has his punishment in the Fire reduced every Sunday night due to him emancipating Thuwaybah when she brought him glad tidings of the birth of the Prophet ﷺ. Thus if the disbeliever Abū Lahab, who is condemned by the Qurʾān itself, is rewarded by a reduction in suffering in the Fire due to his joy at the birth of the Prophet ﷺ, then what of the monotheistic Muslim from the Prophet's community who is overjoyed with his birth and spends all the energy he has in expressing it? I swear by my life that nothing will be his recompense from God the Most Benevolent save that He causes him to enter, by His special favour, into the Garden of felicity." The Ḥāfith Shams al-Dīn al-Dimshqī composed a couplet [about this point] in his book *Mawrid al-Ṣādī fi Mawlid al-Hādī*:

> *Although this person is a disbeliever whose damnation has been reported:*
> *May his two hands perish and may he forever dwell in the fires of Hell,*

*It has been narrated that every Monday*
*His pain is reduced due to his joy at the arrival of Ahmad*
*So what is the fate of the servant who throughout his life*
*Was in delight about Ahmad and died a monotheist?*[2]

Likewise, it is also possible to use the general meaning of God's saying: ***And remind them of the days of God***[3] as general evidence for the permissibility of celebrating the mawlid, for there is no doubt that the day on which the Prophet ﷺ was born is one of the days of God. Celebrating it, therefore, is no more than the implementation of God's command, and as such it cannot be a reprehensible innovation, but rather a praiseworthy Sunnah, even if it did not exist during the time of the Messenger of God ﷺ.

Moreover, we celebrate his birth because we love him. And why would we not love him when all created beings knew him and loved him. For indeed that tree stump, an inanimate object became attached to the Prophet ﷺ, loved him and yearned for his blessed nearness. In fact, it cried immensely out of longing for him. This was reported through multiple hadith transmissions, such that knowledge of it becomes undeniable. More than one of the Companions of the Messenger of God ﷺ narrate: "That when the Prophet ﷺ gave a sermon he would stand and lean upon a raised palm stump. When he had stood for a long time, he would place his blessed hand upon the stump. However, when the number of worshippers increased, the Companions made a pulpit for him. When he left his house on Friday and headed towards the pulpit, he passed by the old stump which he used to deliver his sermons on. All of a sudden, the stump let off a loud cry and began to

moan until the mosque began to shake and the stump almost split asunder. This continued until the Prophet ﷺ came down from the pulpit and approached the stump, placing his blessed hand upon it and gently caressing it and then embracing it with his two hands and drawing it to his blessed chest until it calmed down. The Prophet ﷺ then gave the old stump the choice, by whispering to it, of either being a tree in Paradise with its roots drinking from the rivers of paradise, or to return to being a fruit yielding tree in this worldly life. The stump chose to be a tree in Paradise upon which the Prophet ﷺ said: "I will see to it, by the will of God! I will see to it, by the will of God! I will see to it, by the will of God!" The stump then became quiet. The Prophet ﷺ commented: "For by He whom my life is in His hands, had I not embraced it, it would have continued to moan until the Day of Rising out of longing for the Messenger of God ﷺ."[4]

These statements of Imams such as Ibn Ḥajar, Ibn al-Jawzi and al-Suyūṭī and others show that since the fifth Hijri century, the mawlid has been celebrated and the scholars and the community regarded it as something to be encouraged. The celebration should comprise of recital of the Qurʾān, remembrance of God and distributing food to the needy and it must be devoid of any blameworthy acts like dancing and excessive drumming. Those who depart from this practical consensus of the Muslim community and the positions of these Imams are insignificant and not given consideration.

In reality such celebration of the Prophet ﷺ is not at all excessive, for he is the gifted Mercy to all creation, the beloved of the Lord of the Worlds. To conclude I will mention the words of Imam al-Busiri in the *Burdah*:

*He is the one in whom meaning and form were perfected*
*And then the Creator of mankind chose him as His beloved*

*He is far from having any equal in his virtues*
*For in him resides the undivided essence of beauty*

*Abandon what the Christians have claimed regarding their Prophet*
*And say what you wish in praise of him*

*Attribute to his essence any honour you wish*
*And assign to his rank any reverence that you please*

*For indeed the virtue of the Messenger of God* ﷺ *has no*
*Limit that can be expressed by a human tongue*

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**The Ninth Issue Notes**

**1** Reported by Muslim in his *Saḥīḥ*, 3/167. Dār al-Jīl print.

**2** All of this citation was previously mentioned by Al-Ṣuyūṭī in his book *Ḥusn al-Maqṣid fi ʿAmal al-Mawlid*, p.5-15. It was also transmitted by Ibn Qāsim al-ʿIbādī in his super-commentary on *Tuḥfat al-Muḥtāj* by Ibn Ḥajar al-Haytamī, 7/424.

**3** Qur'ān 14:5

**4** The basis of this hadith was reported by a large amount of *ḥuffādth* with similar wordings, for Imam Aḥmad reported it in his *Musnad*, 3/293, al-Bukhārī in his *Saḥīḥ*, 3/1313, al-Tirmidhī in his *Sunan*, p. 594, Ibn Mājah in his *Sunan*, 1/454, al-Dārimī in his *Sunan*, 1/30, Ibn Ḥibbān in his *Saḥīḥ*, 14/435, Ibn Abī Shaybah in his *Muṣannaf*, 6/319, al-Ṭabarānī in *al-Awsat*, 2/367, and Abū Yaʿlā in his *Musnad*, 6/114.

# The Tenth Issue:

## Prohibiting travelling to visit the Prophet ﷺ or the graves of the prophets and pious

One of the strangest positions of the modern *Salafists* is their prohibition of travelling to visit the grave of the Prophet ﷺ, or the grave of Prophet Abraham, or the grave of any one of the pious. More strange is the fact that they also consider it recommended to visit the grave of the Prophet ﷺ, and the graves of the Muslims in a general sense. Thus paradoxically, they say something is recommended but prohibit the means to its fulfilment! They thus go against the agreed upon legal maxim that the means take the rulings of the objectives. Yet it is inconceivable that the objective be recommended yet the means to achieving it be prohibited.

In what follows, we shall mention the consensus of the schools of Sacred Law upon the recommendation of visiting the grave of the Prophet ﷺ.

In the Hanafi School, Imam Kamāl al-Dīn ibn Muhammad ᶜAbd al-Wāḥid stated in his commentary upon *Fatḥ al-Qadīr*: "The third objective regarding visiting the Prophet's grave: our shaykhs have said that it is one of the most recommended acts, and it is mentioned

in *Manāsik al-Fārisī* and the commentary of al-Mukhtār that it is almost obligatory for someone who has the means."[1]

In the Maliki School, al-Qarāfī said, "Visiting the Prophet ﷺ is one of the emphasised Sunnahs".[2]

In the Shafi'i School, Imam al-Nawawi said, "Know that visiting the grave of the Messenger of God ﷺ is one of the most important acts that draws one close (to God) and is the most felicitous of endeavours. Thus, when those who have performed the major or minor pilgrimage leave Mecca, it is emphatically recommended for them that they go to Madīnah to visit him (the Prophet ﷺ), intending by it drawing closer to God, travelling to it (the Prophet's Mosque) and praying therein."[3]

As for the Hanbalis, al-Mirdāwī al-Hanbali said: "When they finish the major pilgrimage it is recommended that they visit the grave of the Prophet ﷺ and the grave of his two Companions [Abū Bakr and ʿUmar, who are buried beside the noble Prophet]. This is the position of the school, and the position of all the scholars of the school, both the early and the later generations."[4]

So what has happened? What has made these individuals stray in such an unusual manner, such that they say that the objective is recommended but the means for its accomplishment are prohibited? The reason for this is that they attempt to understand hadith reports without the assistance of the scholars. Whenever they come across a hadith, they hasten to implement it, with no regard for how the scholars understood the hadith. So they came across the hadith, "Do not travel save to three mosques: the Sacred Mosque, my Mosque and the Aqsa Mosque,"[5] understanding this to mean that the hadith prohibits travelling to any place other than

the three mosques, and by extension, prohibits travelling to visit the grave of the Prophet ﷺ, the grave of Prophet Abraham and the graves of the pious.

Ibn Hajar al-$^{c}$Asqalani said, "Some of the specialists have said regarding the statement 'save to three mosques' that that which the exception is made from (*mustathna minhu*) is hidden, and it may either be general, in which case it would mean: 'do not travel to any location for whatever reason save to the three mosques', or it may be more specific. The first understanding is not feasible for it would make travelling for trade, family relations, seeking knowledge and other things forbidden. It must therefore be specific. The more appropriate meaning is thus: 'do not travel to a mosque in order to pray therein save to three mosques'. This renders redundant the position of those who forbid travelling to visit the Noble Grave (of the Prophet ﷺ) and the graves of the pious, and God is all knowing."[6]

Ibn Hajar condemned Ibn Taymiyyah for holding this opinion, saying, "This is one of the most repugnant opinions that have been transmitted from Ibn Taymiyyah!".[7]

The scholars understood from this hadith that if someone vows to travel to a mosque other than the three sacred mosques, he is not obligated to fulfil his vow.[8] Al-Ghazālī said: "Were someone to vow to go to a mosque other than the Sacred Mosque, Madinah, or the Aqsa Mosque, he is not obliged to do anything. The Messenger of God ﷺ said: 'Do not travel save to three mosques: the Sacred Mosque, this mosque of mine and the Aqsa Mosque'. The correct position is that this does not make travelling elsewhere forbidden or disliked. It (the hadith) merely clarifies that the only act of worship is in going to those three mosques."[9]

Ibn Qudamah said concerning travelling to visit graves and other religious sites, "The correct position is that it is permissible, as is shortening prayers on the journey, for the Prophet ﷺ would visit Qubāʾ on a mount and walking, and he would also visit graves. He said: 'visit them (graves), for they remind you of the Hereafter'. As for his saying 'do not travel save to three mosques', this is to be interpreted according to negation of preference and not prohibition."[10]

Sheikh ʿIlaysh said: "The hadith 'do not travel…' is specific to prayer. This is what Ibn ʿAbd al-Barr postulated. Likewise, the hadith, "Do not travel save to three mosques", contains no evidence for the prohibition of visitation, for that which the exception is made from is removed, which in this case is the mosque, with proof that the excluded are mosques, and the default is that it be connected (*muttasil*) (namely that the excluded be from the genus of that which the exception is made from).'[11]

Furthermore, the injunction against travelling to a mosque other than the three does not mean that it is forbidden to do so, for it has been established that the Prophet ﷺ would go to a fourth mosque which was the Qubāʾ Mosque, as Ibn ʿUmar said: "The Prophet ﷺ would go to the Qubāʾ Mosque every Saturday, walking or riding",[12] Ibn Umar would also do the same. For this reason al-Hafiz said: "it is understood from this that the injunction against travelling to other than the three mosques is not one of prohibition".[13]

The erudite scholar Ibn ʿĀbidīn said, "the meaning (of the hadith) as mentioned in the *Ihyāʾ* (of Imam al-Ghazali) is that one should only travel to the three mosques because the reward (for prayer

therein) is multiplied, unlike other mosques, for in this regard they are all equal. This does not mean that one cannot travel for other reasons like honouring family ties, study, visiting the religious sites like the grave of the Prophet ﷺ, and the grave of Abraham, and the rest of the imams."[14]

All that precedes clarifies that these zealots insisted upon following the understanding of one particular scholar whose interpretation was deviant and rejected the understanding of the rest of the vast body of orthodox scholars. The result of this was a strange opinion which can be summarised as: the recommendation of something and the prohibition of the means to achieve it, or that it is only recommended for those who live beside the noble grave to visit it! (Since in this case they would not need to travel to fulfil the recommended visitation).

**The Tenth Issue Notes**

**1** *Sharh Fatḥ al-Qadīr* by Kamāl al-Dīn ibn Muhammad ʿAbd al-Wāḥid, 2/179.

**2** *Al-Dhakhīrah* by al-Qirāfī, 3/375.

**3** *Al-Majmūʿ* by al- Nawwawī, 8/201.

**4** *Al-ʾInṣāf*, by al-Mirwādī, 4/53.

**5** Reported by al-Bukhārī in his *Saḥīh* 1/398, and Muslim in his *Saḥīh*, 2/1014.

**6** *Fatḥ al-Bārī*, by Ibn Ḥajar al-ʿAsqalānī, 3/66.

**7** *Ibid*, 3/66.

**8** The reason being that whoever vows to perform an act in a place which it is better to perform elsewhere then its fulfillment is not an obligation. see Nayl al-Awṭār.

**9** *Al-Wasīt*, by Abū Ḥāmid al-Ghazālī, 7/277, edited by Muhammad Muhammad Tāmir, printed by Dār al-Salām.

**10** *Al-Mughnī*, by Ibn Qudāmah, 3/117-118. Printed by Dār al-Kutub.

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**11** *Minaḥ al-Jalīl Sharḥ Mukhtaṣar al-Ḥalīl*, by Muhammad ʿIlaysh, 3/100.

**12** Reported by al-Bukhārī in his *Saḥīh* 1/399, and Muslim the like 2/1017, both from the hadith of Ibn ʿUmar.

**13** *Al-Mughnī*, by Ibn Qudāmah, 2/52.

14 *Ḥāshiyat ibn ʿĀbidīn*, by Ibn ʿĀbidīn, 2/627.

# The Eleventh Issue:

## Using the name of the Prophet ﷺ in the form of an oath

The extremists accuse those who use the name of the Prophet ﷺ in the form of an oath of committing polytheism, hastening to say to anyone who says such a thing: "testify that there is no deity but God" so that he may re-enter the fold of Islam. The reality is that such this assumption has arisen from two misconceptions:

1. Their assumption that to request by the Prophet ﷺ and to emphasise speech with it is a form of oath.
2. Their belief that the ruling of swearing by the Prophet ﷺ is identical to swearing by the idols of the polytheists.

In what is to follow we shall clarify their misunderstanding of both of these issues.

To swear by that which is revered within the Sacred Law like the Prophet ﷺ, Islam, and the Kaᶜbah bears no similarity to the swearing of the polytheists in any way. Rather, those scholars

who prohibited it only did so due to their adherence to the general injunction prohibiting swearing by other than God. As for those that permitted it, like Imam Aḥmad in one of his opinions, the reasoning behind it is that the Prophet ﷺ is one of the two pillars of the 'testification of faith' (*shahādah*), which is not complete without his mention. There is no similarity between him and God. He is only venerated because God venerated him. The apparent general injunction prohibiting swearing oaths by other than God is not to be taken literally, due to the consensus upon the permissibility of swearing by the attributes of God. The hadith is general in meaning but its application is specific.

Ibn al-Mundhir said, "The scholars have differed over the meaning of the prohibition of swearing by other than God. One group have said: 'It is specific to those oaths that the people of the pre-Islamic Period of Ignorance would swear by out of veneration for other than God like al-Lāt, al-ᶜUzzah and their forefathers. Someone who does this falls into sin but does not have to pay an expiation for doing so. As for that which leads to the veneration of God, like one's saying: 'by the right of the Prophet ﷺ and Islam, hajj, *ᶜumrah*, ritual sacrifice (*hady*), charity, emancipation of a slave, and similar things said, only intending the veneration of God and drawing close to Him, then this is not included within the prohibition. From among those who endorsed this position is Abū ᶜUbayd and a group of those which I have encountered. They inferred this from what has been reported concerning the Companions, who held that if someone swore by the emancipation of a slave, ritual sacrifice, and charity then they were obligated to do what they had sworn by. The Companions were aware of the aforementioned prohibition but did

not apply it in this case. This indicates that the prohibition was not general, for if this were the case they would have prohibited it and they would not have obligated anything."[1]

As for using the name of the Prophet ﷺ or anyone else for emphasis in speech without intending a real oath, then it does not enter within the confines of the prohibition at all. Rather, it is a permissible act holding no implications, for it has occurred in the speech of the Prophet ﷺ and the noble Companions. An example of this is found in the report of Abū Hurayrah who said that a man came to the Prophet ﷺ and said: "O Messenger of God, which charity has the greatest reward?" "Verily, by your father, you will most certainly be informed", replied the Prophet ﷺ, "When you give charity whilst being tight-fisted and in good health, fearing poverty and hoping for long life."[2] Another example is the hadith concerning the man from Najd who asked the Prophet ﷺ about Islam, at the end of which the Messenger of God ﷺ said, "He will be felicitous, by his father, if he spoke the truth", or [in another narration] "He will enter Paradise, by his father, if he spoke the truth."[3]

Also, Abu Hurayrah reported that a man came to the Prophet ﷺ and said: "O Messenger of God, inform me of the one who is most worthy of my good company". To which the Prophet ﷺ replied, "Yes, by your father, you will be informed: it is your mother.'"[4] On the authority of Al-ᶜUsharāʾ, on the authority of his father who recounted that he once said: 'O Messenger of God, is slaughter only by cutting the neck or the throat?" The Prophet ﷺ replied: "By your father, were you to stab it in the thigh it would suffice you."[5]

It was reported that bread and meat were brought to the Messenger of God ﷺ, upon which he said, "pass me the foreleg," which he then ate. He then said again: "pass me the foreleg," to which it was passed to him and he ate it. He then said again: "pass me the foreleg," to which it was replied: 'O Messenger of God, it only has two forelegs,' to which to Prophet ﷺ said: "By your father, were you to have remained silent, then I would have continued to be given forelegs as long as I was asking for one."[6]

It was mentioned in the narration of al-Aqta$^{c}$ who stole a necklace belonging to ᵓAsmāᵓ bint ᶜUmays that Abū Bakr al-Ṣiddīq said to him: "By your father, your nights are not the nights of a thief".[7]

It has also been confirmed in the sound compendiums that the wife of Abū Bakr said to him, "No, by the delight of my eye, it is now three times more than it was previously".[8] She was referring to the food of his guests.

Al-Nawawi said, "This is not an oath, but rather a word that the Arabs used in their discourse by way of custom, without intending by it a genuine oath. As for the prohibition, this occurred in regard to someone who intends to swear a genuine oath because it contains veneration of that which has been sworn by, and equating it with God, and this is the satisfactory answer".[9]

Hafiz Ibn Hajar said: "Imam al-Bayḍāwī said: 'This word is something which is added to speech for affirmation and emphasis, and swearing is not intended by its usage, just as the vocative form is added for specification without actually intending the vocative'."[10]

Thus, according to the aforementioned, using the name of the Prophet ﷺ, his Family or anyone else to give emphasis to

one's speech, while not intending a genuine oath, is a legitimate affair which occurred in the discourse of the Prophet ﷺ, his Companions and is a custom. It is not forbidden and it certainly does not constitute polytheism. Additionally, it is not permitted for a Muslim to falsely attribute rulings to God without knowledge, for God said, ***Hence, do not utter falsehoods by letting your tongues determine [at your own discretion], 'This is lawful and that is forbidden", thus attributing your own lying inventions to God: for, behold, they who attribute their own lying inventions to God will never attain to a happy state!*** [11]

Indeed God is the Most High and All Knowing.

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**The Eleventh Issue Notes**

**1** *Fatḥ al-Bārī*, by Ibn Ḥajar al-ʿAsqalānī, 11/535.

**2** Reported by Aḥmad in his *Musnad*, 2/231 and Muslim in his *Ṣahīh*, 2/716.

**3** Reported by Muslim in his *Ṣahīh*, 1/41, and Abū Dāwūd in his *Sunan*, 1/107.

**4** Reported by Muslim in his *Ṣahīh*, 4/1974, and Ibn Mājah, 2/903.

**5** Reported by al-Bayhaqī in his *Sunan al-Kubrā*, 9/246. Commentators say this only permitted out of necessity, such as when the animal has fallen into a well.

**6** Reported by Aḥmad in his *Musnad*, 2/48, and mentioned by Abu Bakr al-Haythamī in Majmaʿ ʿalā Zawā'id 8/312.

**7** Reported by Mālik in *al-Muwwaṭṭa'*, 2/835, al-Bayhaqī in *al-Kubrā*, 8/273, and al-Shāfiʿī in his *Musnad*, 1/336.

**8** Reported by Aḥmad in his *Musnad*, 1/198, al-Bukhārī in his *Ṣahīh*, 1/27, and Muslim in his *Ṣahīh*, 3/1627.

**9** *Sharḥ Saḥīḥ Muslim*, by Imam al-Nawwawī, 1/168.

**10** *Fatḥ al-Bārī*, by Ibn Ḥajar al-ʿAsqalānī, 11/534.

**11** Qur'ān 16:116.

# The Twelfth Issue:

## Claiming that the Prophet's parents are destined for the hellfire

The modern zealots hold that the Prophet's parents are destined for the Hellfire on the Day of Judgement, a position which deeply offends Muslim sensibilities. Were we to add it to the rest of the issues, we would sense that it is as though the standing of the Prophet ﷺ in their hearts is not as it should be and as if their love of the Prophet ﷺ is not true. It goes without saying that there can be no love while desiring to inflict pain upon the beloved. There is no doubt that to speak ill about his parents causes pain to the Prophet ﷺ, whilst God has said, ***As for those who malign God's Apostle - grievous suffering awaits them.***[1] And: ***Verily, as for those who (knowingly] affront God and His Apostle - God will curse them in this world and in the life to come; and shameful suffering will He prepare for them.***[2]

God has openly prohibited us from inflicting harm upon the Messenger of God ﷺ, and acting similarly to the Jews in this regard, by saying: ***O you who believe! Be not like those [children of Israel] who gave offence to Moses, and [remember that] God***

***showed him to be innocent of whatever they alleged [against him or demanded of him]: for of great honour was he in the sight of God.***[3]

Al-Qadi said, "We only say that which pleases our Lord and our Messenger ﷺ. We do not dare to defame his noble standing or cause him harm with unpleasant words".

Be certain that the fathers and forefathers of the Prophet ﷺ, even if it has been established that some of them had fallen into what may apparently seem to be polytheism, are not polytheists. This is because no messenger had been sent to them, hence all of the adherents of *Ahl al-Sunnah wa'l-Jamāʿah* hold to the belief that whoever commits forms of polytheism and alters the laws of monotheism in the period between one Prophet ﷺ and the coming of another will not be punished. There are many evidences for this, and among them are as follows:

> ***We would never punish [any community for the wrong they may do] until We have sent a messenger to them.***[4]

> ***And so it is that your Sustainer would never destroy a community for its wrongdoing so long as its people are still unaware [of the meaning of right and wrong].***[5]

> ***We have never destroyed any community unless it had its warners.***[6]

> ***We sent all these messengers as heralds of glad tidings and as warners, so that men might have no excuse***

> ***before God after [the coming of] these apostles: and God is indeed almighty, wise.*** [7]

Consequently, it is only once messengers have been sent and the message conveyed that people are responsible in front of God. If this is not the case, people are not held to account, out of God's mercy and bounty.

These verses point to what the people of truth, *Ahl al-Sunnah wa'l-Jamāʿah,* believe: that God does not punish anyone until He has sent a warner to them. It could be said that perhaps a warner was sent to the Prophet's parents, and they committed polytheism after the clear proofs had reached them. But such a position is not substantiated with any transmission. Rather, there are textual evidences which negate it and prove the opposite to be the case. They are as follows:

> ***And yet, [O Muhammad,] never have We vouchsafed them any revelations which they could quote, and neither have We sent unto them any warner before you.*** [8]

> ***[You were sent] to warn a people to whom no warner had come before you that they might be reminded.*** [9]

> ***Never would your Lord destroy a community without having [first] sent to its centre a messenger reciting to them Our revelations; and never would We destroy a community unless its people are wrongdoers.*** [10]

These texts indicate that the parents of the Prophet ﷺ will not be punished, not because they are his parents, but because they lived in an interval between two prophets and they are thus regarded to be *Ahl al-Fitrah*. Al-Shāṭibī said, "It has been God's custom concerning His creation that He does not punish due to a violation save after the sending of the Messengers. Once the proof is established, then he who wishes believes, and he who wishes turns away, and for each of them is a just recompense".[11]

Al-Qāsimī said in his exegesis of God's saying ***We would never punish [any community for the wrong they may do] until We have sent a messenger to them***, "It is not sound, nor is it right for Us, rather it is impossible in Our custom, which is built upon immense wisdom, that We punish a people until We send to them a Messenger to guide them to truth, and prevent them from deviance, so as to establish the proof and remove any excuse".[12]

Ibn Taymiyyah stated, "The Book and the Sunnah have indicated that God does not punish anyone except after the message has been conveyed. As for he who the message does not reach at all, he will not be punished. Although for he who the message reaches in a general sense without detail, he we only be punished for rejecting the scriptural proof that had been established against him."[13]

As regards to what specifically proves the salvation of his parents, other than the general proofs mentioned, is God's saying, ***And your movements among those who prostrate themselves [before Him]***.[14] Ibn ᶜAbbās comments, "meaning [your dwelling] in the loins of your forefathers, Ādam, Nūḥ, and ᵓIbrāḥīm until He brought him forth as a Prophet."[15] Wāthilah ibn al-Asqaᶜ reported that the Prophet ﷺ said, "God chose Isma'il from

the offspring of ʾIbrahim, and He chose Banu Kinanah from the offspring of ʾIsmāʿīl, and He chose Quraysh from Banī Kinānah, and He chose Banu Hashim from Quraysh and He chose me from Banī Hāshim."[16]

The Prophet's uncle, al-ʿAbbās, reports that the Prophet ﷺ said, "God created people and made me from the best of them, and from the best generation and from the best of the two groups (the Arabs and non-Arabs). Then He chose the best of tribes and made me from the best of tribes, then He chose the most noble of households and made me from the most noble of them. Thus I am the best of them in essence and origin."[17] The Messenger of God ﷺ described his origins as being good and pure, two qualities which are contrary to disbelief and polytheism, for God said describing the polytheists: ***Those who ascribe divinity to anything beside God are nothing but impure.***[18]

Those who hold that the belief that the Prophet's parents are destined for the Hellfire use as evidence two singular narrations that go against the definitive verses that have been mentioned. They are two hadiths reported by Muslim. The first is that the Messenger of God ﷺ said, "I asked my Lord's permission that I may seek forgiveness for my mother, but He did not grant me permission. I sought His permission to visit her grave, and He granted me permission."[19] The second hadith is that a man asked, "Where is my father?" "In the Fire," the Prophet ﷺ replied. When he was finished, the Prophet ﷺ called him and said, "both my father and your father are in the Fire."[20]

The response to this understanding is as follows: firstly, the first hadith does not state explicitly that his mother is destined for the

Hellfire. Rather, not being granted permission to seek forgiveness for her does not mean that she was a polytheist. If she was a polytheist, God would not have given him permission to visit her grave, for it is not permissible to visit the graves of the polytheists or to honour them.

As for the second hadith, it may be interpreted that the Prophet was referring to his uncle Abū Ṭālib, for he died after the emergence of the Revelation, and he did not announce his Islam. For the Arabs would use the word father (*ab*) to refer to an uncle. An example of this is in the story of Ibrahim in the Qur'ān, when God says, ***And [mention, O Muhammad], when Abraham said to his father Azar, "Do you take idols as deities? Indeed, I see you and your people to be in manifest error."*** [21] The name of his father was Tāriḥ, or Tārikh as mentioned by Ibn Kathīr and other commentators. The verse thus refers to Ibrahim's uncle and not his father.

However, if the other side were to reject this interpretation and insist upon adhering to the literal meaning of the second hadith, since the outward meaning of the text of the first hadith does not support them, we would say: for the sake of argument, if we were to consider that the two hadiths indicate that the parents of the Prophet ﷺ will not attain salvation, then we would have to reject the hadiths due to their conflict with the definitive verses which declare the opposite to be the case.

This is the methodology of the Imams and Scholars throughout the ages. This maxim has been stated by al-Ḥāfiz al-Khaṭīb al-Baghdādī when he said, "If the reliable trustworthy individual narrates a report with an unbroken chain of transmission, it will be rejected if: it contradicts a Qur'ānic statement, or a mass-transmitted

hadith text, in which case it becomes known that the narration has no origin or is abrogated".[22]

Hadith masters like al-Bukhārī and al-Madīnī rejected the following hadith, "God created the earth on Saturday, and upon it He created the mountains on Sunday. He created trees on Monday, loathsome things on Tuesday and light on Wednesday. He spread upon it the animals on Thursday, and created Ādam after ᶜAsr time on Friday among the last of [His] creation, in the last hour of Friday, which lies between the ᶜAsr time and the night."[23] They rejected it on the basis that it contradicts the Qurʾān, as mentioned by Ibn Kathīr in his exegesis [24] of God's saying, ***Your Lord is God who established His dominion over the Throne (of the realm) after having created the heavens and the earth in six days. He covers the night with the day, [another night] chasing it rapidly; and [He created] the sun, the moon, and the stars, subjected by His command. Unquestionably, His is the creation and the command; blessed is Allah, Lord of the worlds.*** [25]

Similarly, Imam al-Nawawi rejected the outward meaning of the hadith of ʾĀʾisha when she is reported to have said, "The prayer was obligated as two units regardless of whether someone was resident or travelling. The travel prayer remained as it was and prayer of someone who is resident was increased".[26] Despite the hadith being agreed upon by al-Bukhari and Muslim, al-Nawawi did not hesitate in rejecting its apparent meaning, asserting, "the apparent meaning - that two units when travelling is the default and has not been shortened, and that the prayer of the resident has additional units added to it - contradicts the text of the Qurʾān and the consensus of the Muslims in that the traveller's prayer is called

shortened. Moreover, when a singular report opposes a clear text of the Qurʾān or the consensus, then the apparent meaning of the hadith must be rejected".[27]

There are thus two options with regard to these hadith texts - either finding an appropriate interpretation, which is preferred in order to avoid rejecting the texts outright or rejecting these singular reports due to their opposing definitive clear texts of the Qurʾān which many great scholars did. Whatever the case may be, it is hoped from what we have presented that not only the salvation of the Prophet's parents has been established but also all of his forefathers.

May God grant us love of Him, and knowledge of the standing of His Prophet. All praise belongs to God, the Lord of all the worlds.

Indeed God is the Most High and All Knowing.

**The Twelfth Issue Notes**

**1** Qur'ān 9:61

**2** Qur'ān 33:57

**3** Qur'ān 33:69

**4** Qur'ān 17:15

**5** Qur'ān 6:131

**6** Qur'ān 26:208

**7** Qur'ān 4:165

**8** Qur'ān 33:44

**9** Qur'ān 28:46

**10** Qur'ān 28:59.

**11** *Al-Muwāfaqāt*, by al-Shāṭibī, 3/377.

**12** *Maḥāsin al-Taʾwīl*, al-Qāsimī, 10/312.

**13** *Majmūʿ al-Fatāwā*, 13, 493.

**14** Qurʾān 26:219.

**15** *Tafsīr* al-Qurṭubī, 13/144, *Tafsīr* al-Ṭabarī, 7/287.

**16** Reported by Aḥmad in his *Musnad*, 4/107, Muslim in his *Saḥīḥ*, 4/ 1782, with the wording belonging to Aḥmad.

**17** Reported by Aḥmad in his *Musnad*, 4/165, and al-Tirmidhī in his *Sunan*, 5/584.

**18** Qurʾān 9:28

**19** Reported by Muslim in his *Saḥīḥ*, 2/671.

**20** Reported by Muslim in his *Saḥīḥ*, 1/191.

**21** Qurʾān 6:74

**22** *Al-Faqīh wa al-Mutafaqqih* by al-Baghdādī, p. 132.

**23** Reported by Muslim in his *Saḥīḥ*, 4/2149.

**24** *Tafsīr* Ibn Kathīr, 2/ 230.

**25** Qurʾān 7:53

**26** Reported by al-Bukhārī in his *Saḥīh*, 1/137, and by Muslim in his *Saḥīḥ*, 1/478.

**27** *Al-Majmūʿ*, by al-Nawwawī, 4/222.

# The Thirteenth Issue:

## Denying that the dead have any awareness of those that visit them

The neo-*Salafists* tread a very dangerous path which inclines to reprehensible modern materialism. They say that the deceased have no consciousness and no awareness of those that visit them. They believe that by affirming this that they are defending the standing of monotheism. This is all due to their lack of understanding of the reality of death, and their failure to learn sufficiently the noble Islamic texts and the statements of the scholars surrounding this.

Death is not in fact the complete annihilation of the human being, nor is it the end of the existence which God granted him. Rather, death is one of the most difficult states that a person experiences, in that his soul departs from his body so as to live in another world. Therefore death, in reality, is the departure of the soul from the human body. Al-Ghazālī said, "The meaning of the departure of the soul from the human body is the cessation of the soul's control over the body, by the removal of the body's obedience towards it". As for the deceased person's awareness of those that visit them, it has been narrated by Abū Hurayrah that the Prophet ﷺ said, "No one

passes by the grave of his believing brother, who he knew during this worldly life, and sends salutations upon him, except that he recognises him and returns the salutation."[1] Al-Manāwī commented afterwards by stating: "Al-Ḥāfiz al-ᶜIrāqī said, 'Acquaintance and responding to greetings is a branch of life, and so too is the return of the soul. For there is nothing to say that this consciousness could not be created by returning the soul back to part of the body, even if it is not all of the body'".

A great scholar said, "The attachment of the soul to the body resembles extreme passion, and inseparable love, so when the soul departs from the body, it has an intense longing for the body, which only fades gradually with time. It is for this reason that the breaking of the body's bones and standing upon its grave are prohibited".[2]

It has been established that the Prophet ﷺ ordered for the disbelievers killed during the battle of Badr to be put in a pit. He then approached them and called them by their names, "O so and so, son of so and so, O so and so, son of so and so, have you found what your Lord promised you to be true? Truly I have found what my Lord promised me to be true!" Upon this ᶜUmar said, "O Messenger of God, why is it that you call on a people that have become [lifeless] corpses?" "By the one who sent me with the truth," the Prophet ﷺ replied, "you do not hear what I say any clearer than them, but they cannot respond."[3]

The deceased sense those who visit them and rejoice at their coming. It was because of this that the Prophet ﷺ ordered that salutations be bestowed upon the dead. It has been reported that he would teach his Companions to say when they saw graves, "Peace be upon you O inhabitants of these abodes, from amongst

the believers and the Muslims. May God bestow His mercy upon those that precede and those that come after, and indeed we are, by the will of God, [soon] to join you".[4] Imam al-Nawwāwī said, "It is recommended for the visitor to come as close to the grave he is visiting as he would in the case of visiting his friend when his living."[5]

Ibn Taymiyyah was asked about the hearing of the dead after their demise, to which he replied, "All praise belongs to God, yes, the dead on the whole can hear." He then went on to mention many hadiths and then said after the hadith of sending salutations upon the inhabitants of the grave, "this is an address to them, and only someone who can hear is addressed". Ibn ᶜAbd al-Barr narrated that the Prophet ﷺ said, "There is no man who passes by the grave of another man whom he used to know during this worldly life and sends him salutations except that his soul is returned to him in order that he may return the salutation." It is mentioned in the Sunan collections that the Prophet ﷺ said, "Bestow abundant prayers upon me on Friday and Thursday night, for your prayers are presented to me." "O Messenger of God," they asked, "How can our prayers be presented to you when your body has decomposed?" To which He responded, "God has prohibited the earth from consuming the flesh of the Prophets." It has also been reported in al-Sunan that the Prophet ﷺ said: "God has appointed angels at my grave who inform me of the salutations of my community." Hence, these texts and others like them clearly reveal that, in general, the deceased hear the discourse of the living, not necessarily all the time but rather at some times and not others, just as may occur with the living. Someone may hear the address of someone who addresses

him or he may not hear due to some sort of impediment. And this hearing is the hearing of cognisance, bearing no implications."[6]

Ibn al-Qayyim said, "The Prophet ﷺ legislated for his community that when they greet the inhabitants of the grave they should do so in the manner that they would address living people. They say, "Peace be upon you, O abode of believing people." This is the address to someone who hears and comprehends. Were that not the case, then the address would be the same as the address of something which is no longer existent or some inanimate object. The *Salaf* have reached a consensus regarding this, for reports have been mass-transmitted from them that the dead are aware of their visitors and rejoice at their visitation."[7]

Based upon all that has preceded, the truth is that the deceased sense, recognise, rejoice at those that visit them and reply to their greetings. Death is not the cessation of existence, but rather the dead continue to exist with their souls, and these souls [still] have a level of attachment to their bodies.

We ask God that He grants us the ability to give those who have preceded us into the afterlife their rights by visiting them and greeting them. Indeed God is the Most High and All Knowing.

**The Thirteenth Issue Notes**

**1** Reported by al-Baghdādī in *Tārīkh Baghdād*, 6/137, al-Ṣaydāwī in *Muʿjam al-Shuyūkh*, 1/351, and al-Ḥāfidth al-Manāwī in *Fayḍ al-Qadīr*, 5/487.

**2** Reported by Al-Ḥāfidth al-Manāwī in *Fayḍ al-Qadīr*, 5/487.

**3** Reported by Aḥmad in his *Musnad*, 2/131, Ibn Ḥibbān in his *Saḥīḥ*, 15/562, and al-Ḥākim in *al-Mustadrak*, 3/241.

4 Reported by Aḥmad in his *Musnad*, 5/670, Muslim in his *Saḥīḥ*, 2/670, al-Nisā'ī in his *Sunan*, 4/92, Ibn Mājah in his Sunan, 1/494, and Ibn Ḥibbān in his *Saḥīḥ*, 16/46.

**5** *Al-Majmū'*, by al-Nawawi, 5/282.

**6** *Al-Fatāwā al-Kubrā*, by Ibn Taymiyyah, 3/60-61.

**7** *Al-Rūh*, by Ibn al-Qayyim, p. 5.

# The Fourteenth Issue:

## The prohibition of the remembrance of God in abundance and the forbiddance of litanies

After having imposed restrictions upon Muslims in their day to day affairs and having blockaded their mosques, the modern zealots turned their sights upon their places of retreat, santuaries and gatherings of remembrance of God. They prohibited people from remembering God's name in abundance and prohibited the use of litanies and *ahzab* (collections of invocations).

The reality is that the abundant remembrance of God with quantities that go beyond what is mentioned specifically in the Sunnah is not only recommended but is something people are commanded to do in the Book of God, ***O you who believe! Remember God with abundant remembrance.***[1] God also praises those who act upon this command:

> ***Save those who believe and do righteous deeds and remember God unceasingly.***[2]

***Verily, in the Apostle of God you have a good example for everyone who looks forward (with hope and awe] to God and the Last Day, and remembers God unceasingly.***[3]

***The men and women who remember God unceasingly: for [all of] them has God readied forgiveness of sins and a mighty reward.***[4]

In fact, the Lord of all creation considers the abandonment and rejection of the remembrance of God to be one of the attributes of the hypocrites, whom He reproaches, saying about them, ***they remember God but seldom.***[5]

The Prophet ﷺ said, "The *mufradun* are the ones that take precedence." "And who are the *mufradūn*, O Messenger of God?" they asked."They are those men and women who remember God abundantly," he replied.[6] He also said ﷺ, "Let your tongue remain moist with the mention of God."[7]

He also said, "Whoever says, 'There is nothing worthy of worship except God alone, with no partners. To Him belongs the dominion and all praise, and He is capable of all things' one hundred times in a day, then he will be given the reward similar to that of freeing ten slaves, one hundred good deeds are recorded for him, and one hundred sins are removed for him, and it will be a protection for him from the Devil for that entire day until the evening. No one performs anything better than him on that day save someone who repeats more [of this] than him."[8]

All of these verses and hadiths emphasise that there is no limit to the remembrance of God, and that the Sacred Law opens the

doors of remembrance and encourages people to do it in abundance no matter what the number. They also show that it is superior to remember God with an amount which is more than what has been reported specifically in the Sunnah, as the Prophet ﷺ said, "No one performs anything better than him on that day save someone who repeats more [of this] than him."[9] Therefore, the remembrance of God is recommended, and to do it abundantly is to do something which is recommended abundantly. Through the remembrance of God, people's hearts come to life, and through its neglect they die.

One of the ways that a Muslim may consistently remember God abundantly is through committing to reciting a particular litany each day and night. The extremists, however, have rejected this just as they have rejected abundant remembrance itself. How is it conceivable that someone who loves good prohibits the remembrance of God?

A litany or regular act of devotion (*wird*, pl. *awrad*) or a *hizb* (pl *ahzab*) is a compilation of invocations which have been narrated in the Sunnah which someone recites consistently, hoping to gain nearness to God by doing so. It is a voluntary act and not something God has made obligatory for anyone. The great imam Zakariyya al-Ansari said: "it is a voluntary act, about which nothing has been specifically transmitted, but the individual does it himself through his own choice of litanies."[10]

Ibn Hajar al-Haytami said, "The individual's consistent performance of an act of devotion, whether it be in the form of prayer, recitation, remembrance or supplication in the morning and evening or during the night is part of the Sunnah of the Prophet ﷺ and is the way of the pious servants of God, both in

the past and the present. Thus, the things whose performance he established communally, like the obligatory prayers, functioned as such, and the regular acts of devotion whose performance he established individually functioned as such. This was the way of the Companions themselves, for they would gather together at times and ask one of their number to recite whilst the rest would listen. ᶜUmar ibn al-Khaṭṭāb would say, "O Abū Musā, remind us of our Lord', so he would recite and the rest would listen."[11]

The scholars are almost in unanimous agreement regarding litanies. They mention it throughout their discourses without highlighting its ruling or disagreement surrounding it. An example of this is the statement of Ibn Nujaym, "…al-Ḥalwānī mentioned that there is no problem in reading litanies between the obligatory and Sunnah prayer."[12] Moreover, the scholars have mentioned the benefits of committing to such litanies, and the importance of consistency. Al-Nawāwī said, "It is important for someone who is consistent in reciting a specific litany, whether each day or night, after the prayer or any other specific time, that were he to miss it he should make it up and perform it when he is able and should not neglect it. For if he becomes accustomed to it then he does not allow himself to neglect it. If he does not make a point of making it up when he misses it, it will be easy for him not to recite it in its appointed time."

Al-Shawkānī said, "The Companions would make up any invocations that they missed which they would usually perform in particular times." Ibn ᶜAllān said, "The meaning of conditions are those conditions that are attached to particular times, not attached to causes, like invocations when one sights

the moon, hears thunder and the like (as they are all causes for the invocation), so it is not recommended to make them up later. As for he who abandons litanies after becoming accustomed to them, it is disliked that he do so."[13]

Ibn al-Hajj said, "It is important that the seeker's time be regulated, so that he has a specific act of devotion apportioned for each time. His regular devotions are not merely prayer and fasting, as previously mentioned, but rather his every act is an act of devotion. The pious predecessors would say, as a response to someone who would ask to meet with one of their brothers who happened to be sleeping, "He is engaged in the litany of sleep." Thus, sleep and similar things are considered to be acts of devotion which a person performs to come close to his Lord. So, if this is the case, then the timing of sleep should be fixed, the timing of his night devotions should be fixed, the time he spends with his brothers should be fixed and the time he spends talking to his family and those closest to him should be fixed. All of these things are considered acts of devotion, since his time is all spent in obedience to his Lord and he does not do anything which is permitted or recommended except with the intention of drawing close to God. This is the real purpose of a litany, namely to draw close to God. This is achieved through focusing one's endeavours, maintaining one's health, and being free from hindrances and obstacles or any circumstance which may occur and be a reason for relinquishing one of the aforementioned."[14]

We thus conclude that the consistent performance of acts of devotion and the recitation of *ahzab* in the remembrance of God to be the solitary means that helps a Muslim to achieve consistency in engaging abundantly in the remembrance of God. This is the way

of the *Salaf* and it is recommended, for the means takes the rulings of the objectives. Indeed God is the Most High and All Knowing.

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**The Fourteenth Issue Notes**

**1** Qur'ān 33:41

**2** Qur'ān 26;227

**3** Qur'ān 33;21

**4** Qur'ān 33;35

**5** Qur'ān 4;142

**6** Reported by Aḥmad in his *Musnad*, 2/232, Muslim in his *Saḥīḥ*, 4/2062, al-Tirmidhī in his *Sunan*, 5/577, and Ibn Ḥibbān in his *Saḥīḥ*, 3/140.

**7** Reported by Aḥmad in his *Musnad*, 5/670, al-Tirmidhī in his *Sunan*, 5/458, and Ibn Ḥibbān in his *Saḥīḥ*, 3/96, and al-Ḥākim in *al-Mustadrak*, 1/672.

**8** Reported by al-Bukhārī in his *Saḥīḥ*, 3/1198, and by Muslim in his *Saḥīḥ*, 4/2071.

**9** Reported by al-Bukhārī in his *Saḥīḥ*, 3/1198, and by Muslim in his *Saḥīḥ*, 4/2071.

**10** *Al-Ghurar al-Bahiyyah*, by Sheikh al-Islam Zakariyyā al-Anṣārī, 1/387.

**11** *Fatāwā al-Kubrā*, by Ibn Ḥajar al-Haytamī, 2/385.

**12** *Al-Baḥr al-Rā'iq*, by Ibn al-Nujaym, 2/52.

**13** *Mawsū'ah al-Kuwaytiyyah*, 21/257-258, under the letter *dhāl, dhkr*.

**14** *Al-Madkhal*, by Ibn al-Ḥāj, 3/179-180.

# The Fifteenth Issue:
## Forbidding the use of prayer beads

The extremists did not stop at preventing people from remembering God abundantly and prohibiting litanies, but they also looked at the tool which enables people to remember God abundantly and adjudged it to be a reprehensible innovation. This tool is the *subhah* or prayer beads, which they aggressively prohibit.

A *subhah* is made up of beads which are used to count the number of times a person has praised or glorified God. The word *subhah* has been introduced into the Arabic language. It is a means for performing good, and the means take the ruling of the objectives. Its use is thus recommended, since it assists the person using it to remember God. Using a *subhah* is preferred to counting on one's hand, as one is less likely to make a mistake and the heart can be more focused on the invocation.

Its permissibility is established by an authentic hadith: Saʾd ibn Abī Waqqāṣ said that he was with the Messenger of God ﷺ when he visited a woman. In front of her were date stones or pebbles with which she was using to praise God. The Prophet ﷺ said, "Shall I not inform you of something which will be easier for you and even

better?" He said: "[Say:] Transcendent is God (*subhanallah*), equal to that which He has created on the Earth; transcendent is God equal to that which He has created in the heavens; transcendent is God equal to that which He has created between the heavens and the earth; transcendent is God equal to that which He will create. And all praise be to God (*al-hamdulillah*), God is most great (*Allahu akbar*), there is nothing worthy of worship except God (*La ilaha illa'llah*), and there is no strength or power save by God (*la hawla wa la quwwata illa billah*) the same amount (as what preceded)."[1] The Prophet ﷺ did not prohibit her from doing what she was doing, but rather he merely guided her to that which was easier and more preferable. Had it been reprehensible in any way he would have clarified this to her.

Based on this hadith, the scholars ruled that it is permissible to use the hand, pebbles and prayer beads outside the prayer as well as the heart and the fingertips. Within the prayer it is disliked, since it is not a prescribed action of the prayer. However, Abu Yusuf and Muhammad of the Hanafi School held that there is no problem with it in both, this is because this action ensures the fulfilment of the prophetic tradition with regards to invocations of the prayer as reported in the Sunnah.

Many hadiths have been reported regarding this topic. We will mention a few. Al-Qāsim ibn ᶜAbd al-Raḥmān said: "Abū al-Dardāʾ had `*ajwa* date stones in a bag, and after he prayed the dawn prayer he would pull them out and use them to praise God until he had used them all."[2] Abu Nadrah al-Ghifari said that an old man from Tafawah informed him saying, "I stayed as a guest with Abū Hurayrah in al-Madīnah, and I did not see anyone from

among the Companions of the Prophet ﷺ who exerted more effort in worship nor who was better at caring for a guest than him. One day when I was with him, he was on his bed with a bag of pebbles or date stones, and below him was a black maid of his. He would use them to praise God and when he had used up everything in the bag, he would pass it to her and she would collect all the pebbles or date stones and put them back in the bag and then give it back to him."[3] Nuʿaym ibn al-Muharrar ibn Abī Hurayrah narrated that his grandfather Abū Hurayrah had a string with two thousand knots in it, and he would not sleep until he praised God with it.[4] The like of this was narrated about our master Saʿd Ibn Abī Waqqāṣ, Abī Saīd al-Khudrī, Abī Ṣafiyyah the servant of the Prophet ﷺ, al-Sayyidah Fāṭimah the daughter of al-Ḥusayn ibn ʿAlī ibn Abī Ṭālib and others among the Companions and the Followers.

Various scholars have written treatises on the legitimacy of using the *subhah*, including: al-Hāfiz Jalal al-Dīn al-Suyuti (*Al-Minhah fi'l-Subhah*), Shaykh Muhammad ibn ʿAllān al-Ṣiddīqī (*ʾĪqād al-Maṣābīḥ li Mashrūʿiyyat ʾIttikhādh al-Masābīḥ*) and the erudite scholar Abū al-Ḥasanāt al-Laknawī (*Nuzhat al-Fikr fī Subhat al-Dhikr*). Let us now highlight what the critical jurists from the orthodox schools of law have said in this regard so as to emphasize what is already clear.

The Shafi scholar Ibn Hajar al-Haytami was asked about whether the *subhah* has a basis within the Prophetic tradition. He replied, "Indeed it does, and al-Hafiz al-Suyuti has actually authored a work about this. One of the proofs is the authenticated report on the authority of Ibn 'Amr, who said 'I saw the Prophet ﷺ counting God's praises (saying *subhanallạh*) with his hands.'

Another is the authentic report from Safiyyah: 'The Prophet ﷺ entered my quarters and in front me I had four thousand date stones with which I would praise God. He asked me: 'What is this, O daughter of Huyay? 'I praise God with them,' I replied. The Prophet ﷺ said, 'I have praised God more times whilst standing before you than you have since you began.' 'Teach me how, O Messenger of God', I said. 'Say: transcendent is God (*subhanallah*) equal to everything He has created.'

Ibn Abī Shaybah, Abū Dāwūd and al-Tirmidhī report that the Prophet said, "Be consistent in making *tasbih* (expressing God's transcendence), *tahlil* (expressing God's oneness) and *taqdis* (expressing God's perfection) and do not be heedless so you forget God's oneness. Count with your fingers, for indeed they will be questioned and asked to bear witness." Reports about praising God with pebbles, date stones, and knotted string, have been confirmed from many Companions and those that came after them. Al-Daylamī narrated in a direct report (back to the Prophet ﷺ), "The *subhah* is a wonderful reminder." Some of the scholars have said: "Counting one's praise of God with the tips of the fingers is better than using a *subhah* due to the hadith of Ibn 'Amr. Other scholars said that if the person is safe from miscounting then counting with the tips of the fingers is better, otherwise the *subhah* is preferred."[5]

The great Hanafi scholar Ibn ᶜĀbidīn cites the aforementioned hadith of Saᶜd ibn Abī Waqqas as evidence for its permissibility. He then commented, 'He did not prevent her from what she was doing, but rather he guided her to what was easier and more preferable. For were it to be disliked, the Prophet ﷺ would have clarified this to her. The *subhah* is nothing more than what is

mentioned in this hadith except that the date stones are threaded together, and something like this does not constitute it becoming impermissible. Thus, there is certainly no need for us to address its usage by the pious Sufis, unless it was used for purposes of ostentation and status.."[6]

Al-Shawkānī has an interesting statement on the topic, which we will relate in full, "the last two hadiths indicate the permissibility of counting praise with date stones and pebbles, and by extension with a *subhah*. This is understood from the Prophet's approval of the actions of the two women, and the fact that he did not rebuke them for what they were doing. As for guiding them to that which is preferable, this does not negate its permissibility, for reports about this have been narrated. It has been mentioned in *Juzʾ Hilāl al-Ḥaffār* with a chain from Muᶜtamar ibn Sulaymān on the authority of Abu Safiyyah, the freed slave of the Prophet ﷺ, that he would have a leather mat spread, and a basket filled with pebbles would be brought for him and he would praise God with them until midday. He would then get up, and when he had finished praying he would bring it with him and praise God with it until the evening. Additionally, it was reported by Imam Aḥmad in *Kitab al-Zuhd*, on the authority of Yūnus ibn ᶜUbayd, on the authority of his mother who said, "I saw Abū Safiyyah – a man from the Companions of the Prophet ﷺ, and he was a treasurer - and he would use pebbles to praise God". Ibn Saᶜd reported in his *Tabaqāt* that Saᶜd ibn Abī Waqqāṣ would use pebbles to praise God. Ibn Saᶜd also stated, regarding Fāṭimah the daughter of al-Ḥusayn ibn ᶜAlī ibn Abī Ṭālib, that she would use a string with knots in it to praise God. Also, ᶜAbd Allah ibn al-Imām Aḥmad reported in *Zawa'id al-Zuhd*, regarding

Abu Hurayrah, that he had a string with a thousand knots in it, and that he would not sleep until he praised God with it.

Aḥmad reported in *Kitab al-Zuhd* on the authority of Abū al-Qāsim ibn ᶜAbd al-Raḥmān who said, "Abū al-Dardā᾽ had *`ajwah* date stones in a bag and when he had prayed the dawn prayer he would then take them out one by one using them to praise God until he had finished them all."

Ibn Saᶜd reported on the authority of Abū Hurayrah that he would praise God with gathered date stones. Al-Daylamī reported in *Musnad al-Firdaws* that ᶜAlī narrated in a direct report (back to the Prophet ﷺ), "The *subhah* is a wonderful reminder." Al-Suyuti cited various reports in the section which he called *al-Minhah fi'l-Subhah*, which is part of his book *al-Majmūᶜ fī al-Fatāwā*, and said at the end of it: "It has not been transmitted that any of the *Salaf* or the *Khalaf* prohibited counting one's invocations with a subha. On the contrary, most of them would use them, and did not consider them blameworthy".[7]

We thus conclude that it is recommended to use a *subhah*, and it is preferable to using one's fingers if the individual fears he may miscount in doing so. It also helps him to remain focused on remembering and praising God without becoming distracted. Indeed God is the Most High, the all-Knowing.

**The Fifteenth Issue Notes**

1 Reported by Abū Dāwūd in his *Sunan*, 2/80, al-Tirmidhī, 5/562, and al-Ḥākim in *al-Mustadrak*, 1/732.

## 15th Issue

**2** *Al-Zuhd*, by Aḥmad ibn Ḥanbal, p. 175, Dār al-Kutub al-ʿIlmiyyah.

**3** Reported by Aḥmad in his *Musnad*, 2/540, Abū Dāwūd in his *Sunan*, 2/253.

**4** *Ḥilyat al-Awliyā*ʾ, by Abū Nuʿaym, 1/383.

**5** *Al-Fatāwa al-Fiqhiyyah al-Kubrā*, by Ibn Ḥajar al-Haytami, 1/152.

**6** *Ḥāshiyat ibn ʿĀbidīn*, 1/650-651.

**7** *Nayl al-Awṭār*, by al-Shawkānī, 2/366.

# The Sixteenth Issue:
## Overemphasis on Outward Appearance

The neo-*Salafists* often distinguish themselves from other Muslims through their outward appearance. They are thus easy to spot. If you find a man wearing a short *qamis* (a long shirt), then you will often find that he is an adherent of the *Salafi* inclination, and if you see a woman wearing a *niqab* (face veil), then likewise you will often find that she too is of the same understanding. This does not mean that every woman who wears a *niqab* is a *Salafi* and zealot, for it is the custom in some lands and communities. What we mean is that every *Salafi* woman wears the *niqab*, or that the *niqab* has become an indication of who she is.

Regarding one's garment God said in His Marvelous Book, ***O Children of Adam! Beautify yourselves for every place of worship, and eat and drink [freely], but do not waste: verily, He does not love the wasteful!***[1]

God made the address general to all of mankind, to include men, women, Muslims and non-Muslims, commanding them all to beautify themselves, namely that they wear clothing to cover themselves and adornments every time they go to meet others. This

is regardless of whether they meet in a mosque, school, university, place of work or anywhere else. The verse established a principle for religious and social reform. The commentators say that this verse was revealed in the context of the Arabs whose men and women would circumambulate the Sacred House naked. The members of other societies would also go naked at that time and this even continues today in some countries which Islam has not entered.

The verse did not define the type of clothing or its form, for Islam legislates foundational principles which are suitable for all times and places. So the command is general: that the individual attends every gathering clothed according to his financial ability and means, within the confines of the norm of his time and the customs of his people. Due to this, the Messenger of God ﷺ did not have specific clothing worn only by him. He did not restrict himself to a specific type of clothing, so as not to bring hardship upon people. The books of hadith inform us that the Prophet ﷺ would wear both fitted and loose clothing, and the same was the case with the Companions and the Followers. No specific form of clothing has not been reported from the Prophet ﷺ or any of the Companions or the Followers, for men or for women.[2]

The Sacred Law does not elucidate the details of the types of clothing and how they should cover the body, due to this being from among the worldly affairs which are known necessarily and by way of experience and custom. Imam Aḥmad saw a man wearing a cloak with black and white stripes, so he said, "Put that aside and wear the clothing of the people of your land. It is not forbidden, for were you to be in Mecca or al-Madīnah I would not have found fault with what you were doing."[3]

The type and form of clothing which is culturally acceptable is permissible as long as it falls within the framework of the general ruling for legitimate clothing: that it does not reveal one's figure, is not transparent, or too short and thus exposing and the person is not wearing it to stand out. It is from correct etiquette to wear clothing which is customarily worn at that time in which you are living. To deliberately go against this is to seek to stand out and be recognisable and this is inappropriate for a Muslim.[4]

Ibn ʿUmar reports that the Prophet ﷺ said, "If someone wears a garment to be seen in it, then God will clothe him on the Day of Rising in a garment of humiliation."[5] He also reported in another narration that the Prophet ﷺ remarked, "If someone wears a garment to be seen in it, God will clothe him on the Day of Judgement with a garb of humiliation, and then the Fire will engulf it."[6]

Similarly, Abu Dharr reports that the Prophet ﷺ said, "If someone wears a garment to be seen in it, God shuns him until he takes it off."[7] These hadiths indicate the prohibition of wearing certain garments out of ostentation. They are not specific to expensive garments but also apply to clothing which is radically different from clothing which is customary in a certain place and time. It has been reported that the Messenger of God ﷺ prohibited wearing both excessively fine garments and excessively shabby garments both of which attract people's attention.[8]

Al-Shawkani said, "If clothing is worn with the intention of seeking people's attention, then there is no difference between a very fine garment and a very shabby one, and between clothing which is in accordance with the custom of the people or that which

is not, since the prohibition revolves around seeking fame and attention, and that which is considered is the person's intention, even if it is not in concordance with the actual situation."[9]

The teaching of our Prophet ﷺ regarding clothing is to wear whatever is available from the clothing that people in that place wear and to follow their customs. When Imam Mālik was asked about wearing thick wool he said, "There is no good in attention seeking. If someone was to wear it sometimes and not at other times I would find this preferable. As for continuously wearing it, I do not like this, as he may become known for this."[10]

Ibn Taymiyyah said, "His Sunnah regarding this – i.e. concerning his various clothing – requires that the person wears and eats whatever God makes available for him in the country that he is in, by way of food and clothing. This varies from country to country."[11]

Abū al-Walīd al-Bājī said, "The Prophet ﷺ disapproved of clothing which was not customary to wear and shabby clothing which drew attention to the person wearing it, just as he disliked excessively fine clothing for the same reason."[12] Shaykh ᶜAbd al-Qādir al-Jilani said, "Clothing which should be avoided includes every garment by which its possessor gains fame and attention, such as going against the custom of his country and folk. He should wear the same clothing as them, so as not to be pointed out, which would be a reason for them to backbite him, and he would bear a portion of the sin of their backbiting him."[13] ᶜAbd Allah ibn ᶜUmar said, "If someone wears a garment to be seen in it, God shuns him, even if he is a saint." He also said, "It used to be said: eat the food which you enjoy, and wear clothing that the people enjoy."[14]

The Prophet ﷺ would follow the custom of his time and would, for example, carry a staff and wear a turban. Customs have changed over time regarding wearing the turban. Wearing one is fine as long as it does not go against the custom of the land. If it does go against the custom of the land, then it would be regarded as attention-seeking clothing. So if a man wore a turban in a place where no one else wears one, it would attract people's attention and not be from the Sunnah to wear it.

Ibn Abī Shaybah reported in his *Musannaf* that al-Ḥaṣīn said, "Zubayd al-Yāmiyy would wear a hooded cloak and I heard Ibrāhīm reproach him due to it, so I said to him, 'Indeed the people used to wear this'. 'That is true.' he replied, 'But those who used to wear it have gone, so if someone was to wear it today, people would distinguish him and point him out."[15]

Some ordinary people wear clothing which is not in keeping with local custom whilst claiming that it a Sunnah which must be followed. This is not acceptable. Perhaps the reason they make the mistake of obligating people to do something which is not binding is their misuse of the term 'Sunnah'. They wrongly apply it to outward customs and fail to understand that hadith scholars, jurists and legal theorists all use the term in different ways.

The Sunnah in the terminology of legal theorists is one of the root sources of the Sacred Law, and the source of evidence which follows only the Qurʾān in rank. They defined it as: that which emanates directly from the Prophet, other than the Qurʾān, by way of action, word or consent.[16]

In the terminology of the jurists it refers to a specific ruling on something derived from evidence which is distinct from the

obligatory, the permissible and other rulings. The person who performs it will receive a reward but will not be punished for failing to perform it. It is therefore a synonym for *al-mandūb, al-mustaḥabb, al-tatawwuᶜ, al-Ṭāᶜah, al-Nafl, al-Qurbah, al-Murraghab fīh* and *al-Faḍīlah*.

In the terminology of the Hadith scholars, however, the term Sunnah refers to what has been recorded from the Prophet ﷺ by way of word, deed, consent, and description of appearance and character, regardless of whether it was before he became a Prophet or after.[17] Hadith scholars thus used the term in its widest sense because their purpose was to elucidate the way of the Messenger of God ﷺ, since he is our guide and example in everything. Henceforth, they communicated everything that was linked to him in terms of biography, mannerisms, attributes, descriptions, reports, sayings, and actions, regardless of whether they established legal rulings or not. Legal theorists, on the other hand, searched within the Sunnah for the areas from which they could derive legal rulings.[18]

We can now understand how certain people confuse the Hadith scholars' understanding of the Sunnah for the understanding of the jurists which is clearly problematic. We can also see that Muslims should not diverge excessively from the inhabitants of their land with regard to clothing, as long as the clothing of that land does not contravene the Sacred Law. The mere fact that certain clothing was worn during the time of the Prophet is not considered a justification for wearing clothing which is unfamiliar to the inhabitants of the land.

## The Use of the *Niqab* as a Form of Identity

What preceded dealt with clothing for both men and women in general. In what is to follow, we shall specifically clarify the issue of the *niqab*. The *niqab* is an article of clothing with which a woman veils her face, leaving only her eyes uncovered. It is made of material which touches her face in most cases. It is one of the things which are prohibited for a woman in ihram, the state of pilgrim sanctity.

The majority of the jurists take the opinion that a woman must cover her whole body in the presence of men who are not close relatives with the exception of her face and hands. This is to allow her to have functional interaction with men. Abu Hanifah's opinion is that she is permitted to uncover her feet, since God prohibited the revealing of her adornments save for what is naturally apparent, and the feet are naturally apparent.

The *zāhir* position in the Hanbali School is that a woman must cover her whole body, even her fingernails. It has also been reported that Aḥmad said, "When a man irrevocably divorces his wife, it is not permissible for him to eat with her, since by eating with her, he will see her hand." The Hanbali scholar, al-Qadi, said, "It is forbidden for a man to look at a woman who is not a close relative save for her face and hands."

Those who hold the majority position relied upon evidence from the Qur'ān and Sunnah, which includes God's saying: ***Tell the believing women to lower their gaze and be modest, and to display of their adornment only that which is apparent.***[19] What is meant by adornment is the place of adornment. So the face is the place of adornment for kohl, and the hand is the place of adornment for

a ring. Ibn Kathīr mentioned the verse followed by a report of Ibn ᶜAbbās who said that what is meant is her face, hands and ring. The same thing was also reported from Ibn ᶜUmar, ᶜAṭāʾ, ᶜIkramah, Saᶜīd ibn Jubayr, Abī al-Shaᶜthāʾ, al-Ḍaḥḥāk, ʾIbrāhīm al-Nakhᶜī and others.[20]

One of the evidences from the Sunnah is the narration of Aishah that ʾAsmāʾ bint Abū Bakr entered the presence of the Messenger of God ﷺ whilst she was wearing thin garments, so he turned away from her and said, "O ʾAsmāʾ, when a woman has reached puberty, it is not fitting that anything be seen of her save for this and this," and he pointed to his face and hands.[21] Another evidence is in the hadith in which the Prophet ﷺ exhorted women to give charity to protect them from the Fire. Jabir narrates that "A woman from among them with darkened cheeks asked: 'and why is that O Messenger of God..?'"[22] This is an indication that this woman was revealing her face, and that the narrator of the hadith noticed this about her. There are also other hadiths which allude to these same points.

Those who hold the position that a woman must cover the face believe that these texts have been abrogated with a command to wear the *niqab*, but there is no evidence for this abrogation. They cite as evidence the following verse, despite there being no explicit injunction of covering the face, ***O Prophet! Tell your wives and daughters, as well as all (other) believing women, that they should draw over themselves some of their outer garments [when in public]: this will be more conducive to their being recognised [as decent women] and not molested. And God is indeed Most-Forgiving, Most Merciful.***[23]

The Hanafi scholar al-Marghīnānī said, "The body of a free woman must all be covered save for her face and hands, due to the statement of the Prophet ﷺ, 'A woman should cover her body.' The exception of the face and hands is due to the constant need to reveal them." He continued, "And this hadith outwardly stipulates that the feet must be covered, yet it has also been narrated elsewhere that they do not have to be covered, and this is the soundest opinion."[24]

The Malikis have stipulated that it is disliked for a woman to wear the *niqab* if she is in a country in which such a practice is uncommon. They also mentioned that wearing the *niqab* is an expression of excessive religiosity. In *Sharh al-Kabīr*, Imam al-Dardīr lists wearing the *niqab* among things which are disliked". Al-Dusūqī said in his *Hashiyah* that it is disliked for a woman to wear *niqab* regardless of whether she is in the prayer or outside because it is an expression of excessive religiosity, unless it is the custom of her people.[25]

The issue of clothing is inherently linked to a people's customs and culture. In Egypt it is more appropriate for people to follow the opinion of the majority, since the covering of a woman's face in our contemporary society is considered strange, and can cause divisions between families. As for other societies in which the *niqab* is part of the culture, then there is no harm if women wish to wear it in accordance with the cultural norm, and not as an expression of religiosity.

In conclusion, we grant preponderance to the position of the majority, namely that a woman must cover her whole body except her face and hands. We deem that if covering the face becomes a sign of dissension among the Muslim community, and a sign of

piety and religiosity, then it changes from being recommended or permissible to being an innovation.

We emphasise that women wear the *hijab*, which is essentially clothing used to cover the body. This clothing must fulfil the following conditions:

- That it is not so short that it reveals part of her body.
- That it is not so tight that it clearly shows the shape of her body.
- That it is not transparent so that her skin colour may be seen.

If a woman's clothing, whatever type it may be, fulfils these conditions, then it is a legitimate *hijab*. If one condition is not met, then it is not.

Indeed God is the Most High, the all-Knowing.

**The Sixteenth Issue Notes**

**1** Qur'ān 7:31

**2** Fatwa number 3281, with the title: 'communal attire, and is it permissible to attend wearing a *jilbāb?*'; from among the legal verdicts of the noble shaykh Jād al-Ḥaq 'Alī Jād al-Ḥaq, the former Sheikh of al-Azhar.

**3** *Ghadhā' al-Albāb*, by Muhammad al-Safārīnī, 2/163.

**4** See *Fatḥ al-Bārī* by Ibn Ḥajar transmitting from al-Ṭabarī, 10/306.

**5** Reported by Aḥmad, 2/92, hadith number (5664), Abū Dāwūd in *the book of clothing*, the chapter of the clothing of notoriety, hadith number (4029), Ibn Mājah in *the book of clothing*, the chapter of the clothing of notoriety from amongst the garments, hadith number (3606), *al-Nisā'ī in al-Sunan al-Kubrā*, the chapter concerning that which is recommended from amongst the garments, and that which is disliked, hadith number (9560). Al-Shawkānī said in *Nayl al-Awṭār*, 2/111: 'the men in the chain are all trustworthy'.

6 Reported by Abū Dāwūd in *the book of clothing*, the chapter of the clothing of notoriety, hadith number (4029), and by Ibn Mājah in *the book of clothing*, the chapter of the clothing of notoriety from amongst the garments, hadith number (3607).

7 Reported by Ibn Mājah in *the book of clothing*, the chapter of the clothing of notoriety from amongst the garments, hadith number (3608).

8 Reported by al-Bayhaqī in *al-Sunan al-Kubrā*, 3/273, hadith number (5897).

9 *Nayl al-Awṭār*, 2/111.

10 *Al-Muntaqā Sharh al-Muwaṭṭa'*, 7/220.

11 *Majmū' al-Fatāwā*, by Sheikh al-Islam Ibn Taymiyyah, 22/186.

12 *Al-Muntaqā Sharh al-Muwaṭṭa'*, 7/219.

13 *Ghadhā' al-Albāb*, by Muhammad al-Safārīnī, 2/162.

14 Ibid 2/163.

15 *Muṣannaf Ibn Abī Shaybah*, 6/81.

16 See *Sharh Mukhtṣar Ibn al-Ḥājib* by 'Aḍud al-Dīn al-'Ījī, 2/290.

17 See: *Darāsāt 'Usūliyyah fī al-Sunnah al-Nubuwwayyah*, by Muhammad al-Ḥifnāwī, p. 12.

18 See: *Ḥāshiyat al-Sheikh Bakhīt al-Muṭī'ī 'ala Nihāyat al-Sūl*, 3/5, and *'Ittiḥāf Dhawī al-Baṣā'ir*, 3/14.

19 Qur'ān 24:31

20 *Tafsīr* Ibn Kathīr, 3/284.

21 Reported by Abū Dāwūd in his *Sunan*, 4/62, and followed it by saying: 'this is a mursal report from Khālid ibn Durayk, for he did not encounter 'Ā'ishah. It was also reported by al-Bayhaqī in *al-Kubrā*, 2/226, and *al-Shu'ab*, 6/165.

22 Reported by Aḥmad in his *Musnad*, 3/318, Muslim in his *Saḥīḥ*, 2/606, Abū Dāwūd in his *Sunan*, 4/338, al-Nisā'ī in his *Sunan*, 3/186, Ibn Khuzaymah in his *Saḥīḥ*, 2/357, and al-Dārimī in his *Sunan*, 1/458.

23 Qur'ān 33:59

24 *Al-Hidāyah*, by Abū Bakr ibn 'Alī al-Rashdānī al- Marghīnānī, 1/258-259, printed with it is the commentary of Fatḥ al-Qadīr.

25 *Ḥāshiyat al-Dasūqī 'alā al-Sharh al-Kabīr*, 1/218.

# The Seventeenth Issue:
## Conflating preaching with knowledge

One of the greatest methodological problems within this extreme trend is the tendency to issue religious pseudo-verdicts before fulfilling the correct prerequisites of learning, and confusing exhortation with deep scholarly knowledge. They use gatherings of exhortation and reminding of God as a platform for issuing unscholarly and unauthorised legal edicts which results in the proliferation of ignorance, confusion and division.

Are there so few scholars that ignorance prevails? Has that which the Prophet ﷺ prophesied come to pass, when he said, "God does remove knowledge by seizing it from His servants, but rather He removes knowledge by removing scholars, until no scholars remain and people take ignorant people as their leaders. When they are asked they issue verdicts without knowledge. They go astray and lead others astray."[1]

We shall now mention the merit of sacred knowledge and the status of scholars and clarify the difference between scholars and preachers. God mentioned the virtue of the possessors of knowledge in His noble book saying: ***God [Himself] bears witness that there is no deity save Him, and [so do] the angels and all who are endowed***

***with knowledge, the Upholder of Equity.***[2] Look how God began with Himself, then mentioned the angels and then the possessors of knowledge, to illustrate the extent of their exalted rank.[3]

God also said: ***Say, "Can they who know and they who do not know be deemed equal?"***[4] The interrogative particle here is used to draw one's attention to the fact that the first group (the scholars) are at the highest station of goodness whereas the second group are at the lowest station and this is so apparent that it cannot be denied by anyone.[5]

Scholars have been raised by God above all other believers, and believers have been raised by God above all others, as God said: ***God will raise those who have believed among you and those who were given knowledge, by degrees. And God is Acquainted with what you do.***[6] Ibn ᶜAbbās said about this verse, "The scholars are above the believers by seven hundred degrees, and there is a journey of five hundred years between each degree."[7]

God said: ***It is only those who have knowledge among His slaves that fear God.***[8] Al-Tahir Ibn ᶜĀshūr said, "If this is clear, then it indicates by way of necessity that people who are not scholars do not have true awe of God, signifying that people are in different states with regard to their hearts and their understanding."[9] Similarly, God commanded our master Muhammad to request additional knowledge from God, ***Say: God increase me in knowledge,***[10] In other words, increase me in knowledge in addition to the knowledge You have taught me.[11]

Our master Muhammad ﷺ said, "If God wants good for someone, He grants them understanding in religion."[12] The Imam al-Ājurī said, "Since God wished good for them, He granted them

understanding of His religion and taught them the Book and the Wisdom, so they became like shining torches of guidance for their people and their lands."[13]

Abī ʾUmāmah al-Bāhilī said, "Two men were mentioned to the Messenger of God ﷺ, one a devout worshipper and the other a learned man. The Messenger of God ﷺ said, "The superiority of a learned person over a worshipper is like my superiority over the least of you." He then said, "Indeed God, His angels, the inhabitants of the heavens and earth, even the ants in their holes, and the whales pray for the teachers of good to people."[14] The Prophet ﷺ also said, "The scholars are the inheritors of the Prophets."[15]

It is known that there is no rank higher than the rank of prophethood, and no honour greater than inheriting from people of that rank.[16] It has also been reported on the authority of Abū Hurayrah that the Messenger of God ﷺ said, "There are two attributes which cannot both be possessed by a hypocrite: good comportment and understanding in religion."[17] ᶜUbādah ibn al-Ṣāmit narrates that the Messenger of God ﷺ said, "The one who does not respect our elders, does not have mercy for our youngsters, and does not know the rights of our scholars is not from my community."[18]

Imam Aḥmad said, "People are in more need of knowledge than food and drink, since food and drink are needed twice a day or three times, whereas knowledge is needed continuously."[19] Likewise, ᶜAbd Allah, the son of Aḥmad ibn Ḥanbal asked his father, "What type of man was al-Shāfiᶜī, for I have heard you supplicate for him abundantly?" Aḥmad replied, "My son, he was like the sun for the world, and wellbeing for people. Is there any substitute for these two?"[20]

## The Difference Between a Scholar, a Preacher and Someone Who Calls People to God

We find some people have the names of certain preachers who have no association with scholarship whatsoever imprinted in their minds. This then leads them to love and emulate these preachers. They are attracted by their oratory skills, believing that this is proof of their knowledge. For this reason the laymen are attracted to preachers and orators much more than they are to scholars. Ibn Masᶜūd said, "You live in a time in which there are many jurists, and few orators, and a time will come after you in which there will be few jurists and many orators."[21] Ibn al-Jawzī said, "The exhorters of the past were scholars and jurists. For ᶜAbdullah ibn ᶜUmar attended the gathering of ᶜUbayd ibn ᶜUmayr, and ᶜUmar ibn ᶜAbd al-ᶜAzīz would attend the gathering of storytellers. Then this vocation diminished and ignorant people took it on and distinguished people stopped attending. Laymen and women became attached to these ignorant storytellers. Instead of occupying themselves with knowledge they preferred to hear wondrous tales and all that amaze the ignorant."[22]

If only these preachers would accept being described as what they truly are, even though they fall short in this too. What is worse is that they claim to be people of knowledge, especially the knowledge of hadith. They hasten to give verdicts and to teach, which causes great confusion and distances people from the truth and the correct methodology. They are like the people al-Dhahabī referred to when he said, "People who outwardly seem like people of knowledge, but only mastered an insignificant amount of it and

gave the false impression that they are noble scholars, without it crossing their minds that they should use knowledge to draw close to God. This is because they never came across a true sheikh to emulate in knowledge. Thus deprived, they became riff raff and rabble. The highest ambition of a teacher from among them is to obtain valuable books which he will store and look over one day, distorting what he reads without admitting to it. We beseech God for salvation from this and forgiveness."[23]

Al-Khatib al-Baghdādī also said about them, "I came across people from this current time who are ascribed to the science of hadith and consider themselves to be its bearers, specialising in its audition and transmission, whilst they are the most distant people from what they claim and the least of them in knowledge. One of them believes that if he writes down a few sections of hadith, and is busy with audition for a short time that he is an absolute possessor of hadith, even though he never truly struggled to learn this science, nor did he experience the hardship of memorising its categories and chapters. Despite the fact that they have only written a small amount and only possess a miniscule share of knowledge of the discipline, they are the most arrogant of people, and the most boastful and self-conceited, they do not show the least respect to any true scholar, and do not obligate their students to have any conscience and regard. They willfully attack narrators and they deal harshly with students, contrary to the demands of the discipline which they learnt and opposing the obligation which they should be performing."[24]

## Issuing Legal Verdicts and Intellectual Discussions on Religion are the Preserve of Specialists

Many people are unable to distinguish between those who are scholars and those who are not. This has led to the appearance of unspecialised claimants of knowledge who have issued false legal verdicts and rush to convey their opinions in contemporary jurisprudential matters.

It is not permitted that anyone issue verdicts (*fatwa*) on comparative jurisprudential matters except for those that are academically qualified to do so. They must undertake a deep study of jurisprudence, legal theory and legal maxims. They must also have practical experience of jurisprudential discussions, as well as knowledge of the science of hadith in general, and the science of the acceptance and rejection of narrators (*al-Jarh wa'l-Ta*ᶜ*dil*) specifically. Likewise, they must have general mastery of the Arabic language: phonology, morphology, grammar, and the three dimensions of rhetoric. They should be well acquainted with current affairs and it is preferred in this current time that they have a degree from a respected university in their area of specialisation.

These requirements must be in place to stop the chaos which arises when verdicts are issued by individuals who have no specialisation in jurisprudence and legal theory yet debate over verdicts whilst not even having studied the basic jurisprudential principles or the foundations thereof. The early scholars discussed the importance of specialisation in jurisprudence, for they said, "He who emerges as a pseudo-scholar before truly learning is like he who becomes a raisin before becoming a grape". The writer, ᶜAlī ibn Zayd al-Bayhaqī

wrote a treatise entitled: 'Alerting the true scholars to the disguise of the counterfeit scholars'.

## The Prohibition of Attacking Scholars

Not only have these false scholars delved into areas of jurisprudence and legal verdicts without being qualified to do so, but they have attacked, poured scorn upon and labelled as ignorant anyone who disagrees with them. This has led others to have no hesitation in declaring the verdicts of legitimate scholars as wrong and then proceeding to launch personal attacks upon them. Treating ordinary people in this way should never be tolerated so how can it be tolerated in regard to scholars?

There is no problem if an individual differs with the opinion or *ijtihād* of a scholar or preacher as long as he is qualified to do so. The problem is when that difference of opinion is used to attempt to destroy the standing of the scholar, belittle him and show him disrespect. Some people may condemn a scholar due to their own ignorance of the circumstances surrounding a verdict issued by that scholar. They hear something the scholar says that can be interpreted in different ways or is general whilst he is ignorant of the things which can clarify that general statement. Instead of referring back to the scholar, they instead circulate what they have heard, claiming that the scholar has made a gross error and committed a terrible crime. In relation to this a poet once said:

*They say: in our opinion this is impermissible*
*But who are you to have an opinion in the first place?*

They begin with a torrent of accusations which include: he is too liberal, he is an innovator and he is an agent of the government. All of these are unacceptable and have no basis except in the mind of the antagonist. Only those who falsely claim knowledge act in this way. If they were true scholars they would never make these allegations, since the scholar is aware of the rights of his brother scholar and knows the correct response on an issue over which there is recognised scholarly disagreement.

Imam al-Dhahabī said in his biography of Muhammad ibn Naṣr al-Marwazī, "If every time a scholar committed a forgivable error in his *ijtihād* in isolated issues, we were to rebel against him, label him an innovator, and forsake him, then neither Ibn Naṣr or Ibn Mandah would be safe from us, nor anyone who is greater than them both. For God is the Guide of creation to truth, and He is the Most Merciful. Thus we seek refuge in God from caprice and discourtesy".[25] Imam al-Dhahabī also mentioned that Abu Kāmil al-Baṣrī said: "I heard one of my teachers say, 'We were in the gathering of Abī Khanb, and he dictated some of the merits of ᶜAlī, after doing the same for the other three (caliphs), when all of a sudden Abū Faḍl al-Sulaymānī got up and screamed: 'O people, this person is an imposter so do not write anything that he says!' He then departed from the gathering, because he did not hear the merits of the three (Abū Bakr, ᶜUmar and ᶜUthmān) beforehand." Al-Dhahabī then commented on this story saying: "this indicates the harshness and coarseness of al-Sulaymānī. May God pardon him."[26]

The scholars have agreed that the absolute layman and the scholar who has studied some of the necessary disciplines needed for *ijtihād* but has not reached the rank of *ijtihād* must both follow qualified scholarship (*taqlid*). Likewise, it is not valid for someone to condemn someone else if they are both following the opinion of a recognised scholar. If this is the case, then how can those who claim knowledge who are in reality mere followers, condemn true scholars? We can only say what al-Dhahabī said when defending Imaṃ Aḥmad from the accusations of certain ignorant people that he was just a hadith scholar and not a jurist, "This ignoramus does not even know the true standing of himself, so how could he know the standing of anyone else?"[27]

We must state to these claimants of knowledge: know yourself and your limits and do not put yourself in a blameworthy situation, for knowing yourself is an important type of knowledge. Avoid arrogance, which is denies truth and breeds a contemptuous personality. For if people stopped delving into issues which they have no expertise in, then many of the ignorant arguments which take place amongst Muslims would disappear. So true is the statement of Imam al-Ghazālī, "Were he who does not know to remain silent, then divergence would no longer remain."

We conclude our discourse with the statement of the great Imam al-Hafiz Abū Qāsim ibn Asākir who warns us of the consequences of attacking and demeaning scholars. He wrote in the introduction to his book, *Tabyīn Kadhib al-Muftarī fīmā Nusiba ʾilā al-ʾImām al-ʿAshʿari,* "Be certain, my brother - May God grant me and you the ability to attain His pleasure, and make us among those who fear Him and have true consciousness of Him - that the flesh of

the scholars is poisoned, and God's habit of disgracing those that disparage them is well known, and if someone allows his tongue to run wild slandering scholars, God causes that person's heart to die before he dies."[28]

Indeed God is the Most High, the all-Knowing.

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**The Seventeenth Issue Notes**

**1** Reported by al-Bukhārī in his *Ṣaḥīḥ*, 1/50, and Muslim in his *Ṣaḥīḥ*, 4/2058.

**2** Qur'ān 3:18

**3** See: *'Iḥyā' 'Ulūm al-Dīn* by al-Ghazālī, 1/8.

**4** Qur'ān 39:9

**5** See: *Tafsīr Rūḥ al-Ma'ānī,* by al-Ālūsī, 23/246.

**6** Qur'ān 58:11

**7** See: *'Iḥyā' 'Ulūm al-Dīn* by al-Ghazālī, 1/8.

**8** Qur'ān 35:28

**9** See: *Tafsīr al-Taḥrīr wa al-Tanwīr*, 22/304.

**10** Qur'ān 20:114

**11** See: *Tafsīr al-Ṭabarī*, 18/382.

**12** Agreed upon; reported by al-Bukhārī in '*the Book of Knowledge*', the chapter of 'he whom God wishes well for He grants him understanding in religion, hadith number (71), and Muslim in his *Saḥīḥ* in the 'book of alms', the chapter of 'the prohibition of requesting', hadith number (98), from the hadith of Mu'āwiyah ibn Abī Sufyān.

**13** *Akhlāq al-'Ulamā'*, by al-Ājurī, p. 28.

**14** Reported by al-Tirmidhī in '*the book of knowledge*', the book of the preference of *fiqh* over worship, hadith number (2685).

**15** Reported by Abū Dāwūd in *the book of knowledge*, the chapter of encouragement to seek knowledge, hadith number (3641), al-Tirmidhī in '*the book of knowledge*', the book of the preference of *fiqh* over worship, hadith number (2682), Ibn Mājah in the chapter of the preference of the scholars and encouragement to seek knowledge, hadith number (223), and Ibn Ḥibbān in his *Saḥīḥ*, 1/289, hadith number (88), from the hadith of Abū al-Dardā'.

**16** See: *'Iḥyā' 'Ulūm al-Dīn* by al-Ghazālī, 1/9.

**17** Reported by al-Tirmidhī in '*the Book of Knowledge*', the book of the preference of *fiqh* over worship, hadith number (2684), from the hadith of Abū Hurayrah.

**18** Reported by Aḥmad in his *Musnad*, 2/323, hadith number (22807), and the wording is his, and *al-Ṭabarānī in al-Muʿjam al-Kabīr*, 8/167, hadith (7703).

**19** *ʾIʿlām al-Muwaqqiʿīn*, by Ibn al-Qayyim, 2/257.

**20** *Siyar ʾAʿlām al-Nubalāʾ*, by al-Dhahabī, 10/45.

**21** Reported by al-Bukhārī in *al-Adab al-Mufrad*, p. 270, hadith number (789).

**22** *Talbīs ʾIblīs*, p. 151.

**23** *Siyar ʾAʿlām al-Nubalāʾ*, 7/153.

**24** *Al-Jāmiʿ li Akhlāq al-Rāwī wa al-Sāmiʿ*, 1/75-77.

**25** *Siyar ʾAʿlām al-Nubalāʾ*, by Al-Dhahabī, 14/39-40.

**26** Ibid 15/524.

**27** *Siyar ʾAʿlām al-Nubalāʾ*, 11/ 321. Another ugly trait they have is their hastiness in authoring works, and issuing critical editions on traditional works, and then writing on the cover of the book: authored by so and so, or edited by so and so, whilst from amongst them are those that have never studied under a qualified teacher. Yet this is due to their extreme arrogance and their pretending to be scholars. See: *al-Taʿāllum wa Atharuh fī al-Fikr wa al-Kitāb*, by Bakr Abū Zayd, p. 58.

**28** *Tabyīn Kadhib al-Muftarī*, by Ibn ʿAsākir, p. 29.